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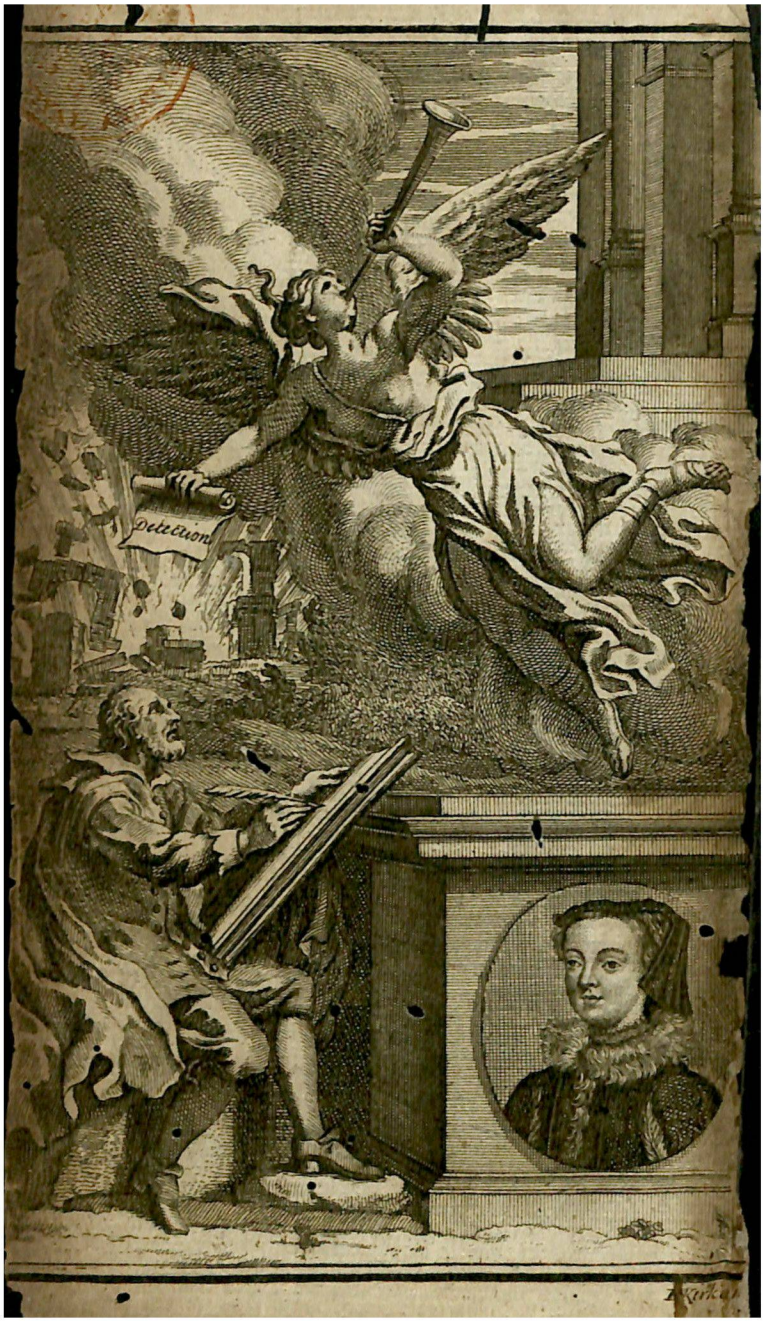
Detta Buon

BUCHANAN's HISTORY OF SCOTLAND.

VOL. III.

CONTAINING,

I. A DETECTION of the *Actions* of MARY *Queen* of SCOTS, concerning the Murder of her HUSBAND, her Conſpiracy, Adultery, and pretended Marriage with Earl BOTHWEL, and a Defence of the true Lords, Maintainers of the KING's Majeſty's Action and Authority.

II. *De Jure* REGNI *apud* SCOTOS: Or, A Diſcourſe concerning the due PRIVILEDGE of GOVERNMENT, in the KINGDOM of SCOTLAND.

To which is added,

The GENEALOGY of all the KINGS of SCOTLAND, their Lives, the Years of their Coronation, the time of their Reign, the Year of their Death, and Manner thereof, with the Place of their Burial, from FERGUS I. who began to Reign in the Year of the World 3641, before the coming of our Saviour JESUS CHRIST 330 Years, to the Reign of JAMES VI. of that Name, KING of SCOTS, and the Iſt of ENGLAND. With the Oath of a DUKE, EARL, LORD of PARLIAMENT, and KNIGHT of SCOTLAND.

Adorn'd with a Curious CUT.

The Third Edition.

LONDON:

Printed for J. CLARK and T. HATCHET, at the Royal Exchange; R. FORD and J. GRAY in the Poultry; C. RIVINGTON, in St. Paul's Church-yard; J. OSBORN at the Golden-Ball in Pater-Noſter-Row; A. MILLAR at Buchanan's Head againſt St. Clement's Church in the Strand; A. LYON in Ruſſel-ſtreet, Covent-Garden; J. BRINDLEY in New Bond-ſtreet; J. JACKSON by St. James's; J. STAGG in Weſtminſter-Hall; and O. PAYNE in Round Court.

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THE PREFACE.

THE renowned *Buchanan*'s Hiſtory of *Scotland* has found a general acceptance with men of letters, in ſome proportion to what was due to the eminent abilities of one, who, under great difficulties, which that age and his own circumſtances beſet him with, made ſo great a proficiency in learning.

THIS has given encouragement to another *Edition*, at this time, of that Hiſtory; and becauſe ſome other Tracts written by the ſame great hand, bear ſome relation to

the ſame ſubject, and one of 'em more fully hath treated of an important and black ſcene of affairs, which in his Hiſtory he mentions with more reſerve, and in the vulgar language are now ſcarcely to be had, (even at an exceſſive price; 'tis judged expedient to add *theſe* as an *Appendix* to the Hiſtory, that the curious may have it complete.

'TIS here given the reader in that dreſs and ſtyle in which it was formerly printed, rather than to give any ſuſpicion of alteration in the matter and ſenſe of the author. Whether the principles and practices which his *Dialogue* proceeds upon were then truly according to the *rights and cuſtom of his own nation*, as he ſays, muſt be left to others judgment; however he declares, *p.* 313. that he intended not to aſſert *by what rights other nations are governed*, and for certain could not foreſee what alteration ſhould be made in the conſtitution of his *own*, by the *union* of the two Kingdoms lately eſtabliſh'd.

TO THE

READER.

IT *is to be confeſſed that in this Hiſtory there is but a parcel, and it tells you but of one circumſtance, yet gives light to a many conſiderable ones; which that the common Reader may the better draw out, I ſhall only briefly acquaint him that* James *the fifth, a cruel and vain-glorious Prince loſt his two only Sons, (both in one week) a little before he was ſlain at* Flodden-field, *and ſo left no other Heir, but* Mary, *a Child of four days old, which he never had ſeen. This Child was accepted, and at five years of age (the* Scots *ſeeing they were likely to make better merchandize of her in* France, *than in* England, *tho' they then profer'd high) ſent her into* France, *and at*

12 *married her to the* Dauphin, *afterward* Francis *the firſt, who at two years left her a widow, and ſo ſhe returned to* Scotland, *where ſhe found her Mother weltring in her cruelties,* (*a* Guiſe) *and waſting and gathering with all her might.* She *being remov'd, the Queen came to be Maſter of herſelf, and ſoon after in a gaity took* Henry Lord Darley, *Son to the Earl of* Lenox, *one of the goodlieſt Perſonages accounted of his time, to her Husband. But it ſeems her firſt flames being allayed, there was one* David Rize *either had been, or was grown more into favour, ſo that the King grew every day diſcountenanced; and whereas before in the Coins* (*as many of them I have ſeen, comparing the years*) *it was in the end of one year,* Henricus & Maria, &c. *It was in the beginning of the other,* Maria & Henricus, &c. *and inſtead of receiving the honour of a King, he was ſent away from the Court without either train or neceſſaries. This with other informations of the Queens carriages, and the incouragement of ſome of the Nobility brought him back to* Edenburgh, *where finding* David *in the Queen's company, ſnatch'd him out of her preſence* (*giving her ſome words of comfort and aſſurance, for ſhe was then great with child*) *and with ſome of his Aſſiſtants ſent him into another life.*

This

To the Reader.

This Minion *being gone,* Bothwel *came into favour, and that how ſwiftly and powerfully you may perceive by the Letters annexed to the Diſcourſe. But her hate to her Husband was ſo exaſperated, that both her and* Bothwel's *malice and wits, made his deſtruction their chief aim. Her carriage to him grew daily more and more ſtrange, ſhe augmented her neglect, in ſo much that at the chriſtening of that Son, who was after a Plague to this Nation, he was not ſuffered to receive the leaſt Honours or Addreſſes.*

She being again at liberty then thought to beſtir her ſelf about the compaſſing of Revenge; Poiſon was attempted, but the ſtrength of his youth overcame it; which the accurſed Woman ſeeing, flattered him into agreement and preſently lull'd him into credulity; ſo that he came again to Edenburgh, *and was lodg'd in a little houſe near the Palace, but out of all hearing. Hither ſhe brought her own rich Bed, and frequently viſited him with all ſhews of affection. But one Sunday night, ſhe diſcovered her ſelf, and fetching a deep ſigh;* O, *ſays ſhe,* This time twelvemonth was *David Rize* ſlain! *This it ſeems came from her heart; for within a few days, the unfortunate young man, as an* Inferiæ *to the Ghoſt of a Fidler, was ſtrangled in his Bed, the*

houſe blown up, and his body thrown out into the garden, the Queen's rich bed being a day or two before remov'd.

Now was ſhe at liberty for Bothwel, *but there was one obſtacle, he had a Wife already, but ſhe poor woman muſt be forced to ſue out a Divorce, which was procured in eight days. So that now the way was ſmooth, and an Ambaſſadour with fine penn'd inſtructions ſent to the King of* France, *to give an account of her new Marriage. But all this could not ſtill the cries of the People, whoſe impatience, grief, and rage at that time (particulars whereof I have ſeen in an authentick* Scotch *diurnal of that date) was ſuch, that* Bothwel *was forced to ſuborn ſome People to accuſe him; but he having Creatures enough, few daring to witneſs, and many Judges of his Party, was acquitted. But at laſt the honeſt part of the Nobility, ſenſible of thoſe miſcarriages, made a head, broke* Bothwel's *Forces, and put him to flight, took her Priſoner, and made her reſign up the Government to her Son, (all this before the ſaid Ambaſſadour who was ſent into* France, *had his firſt Audience) then a child in the Cradle, known afterwards by the name of* James *the ſixth; who though he were accounted a wiſe man, ſhould be accounted with me much wiſer if he had known his own Father: For here*

in

in leſs than a year and an half's ſpace, (no longer was all this in tranſacting) there were three known Favourites, Rize, Darley, *and* Bothwel; *and which of theſe might have hit luckieſt may be well doubted, if (as I have heard ſome* Scots *lowdly aver) the Child itſelf were not ſuppoſititious.*

This is as much as I can ſay will give light to the Book that follows. 'Twas written by the moſt excellent Pen of that Age, a man as Sir Philip Sidney *juſtly calls him, of a piercing wit, conſummate learning, and careful obſervation of things, which made him known to the greateſt Princes of his time, and dear to his own. This made him School-maſter to his King, who imploy'd him in the weightieſt Tranſactions at home and abroad, made him Keeper of the Privy Seal of* Scotland (*though he never ſought himſelf, nor could withdraw from the ancient parſimony and frugality, he dying very poor.*) *So that it is not to be ſuppoſed that a Perſon ſo well qualifi'd for knowledge in theſe things, and of a Reputation ſo untouched, would have adventured to divulge matters of this nature in a place, where moſt men might have call'd him Lyar. But certainly both in his Hiſtory, which he dedicated to the Son, and in this Piece, which he penned in the name of the Lords, if there were any fault, it was too broad. And*

though

though worthy Maſter Cambden, *in his* Annals *tells us,* He wiſhed he might have wiped out all that he had writ againſt *Mary* Queen of *Scots* with his blood, *yet when I conſider the times he writ in, and the general ſilence of it among the* Scots, *and the diſgrace that* Buchanan *died in when King* James *came to maturity; methinks I cannot give ſo much credit in this to that famous Hiſtorian as in other things, though he might* mendacium dicere, *not* mentiri.

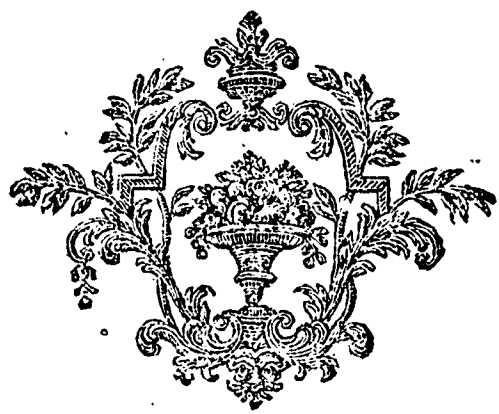
And though Cauſſin *in his* holy Court, *make her a* Heroine, *nay, a* Saint; *and* Strada *in his* De Bello Belgico, *digreſſes to celebrate her with immoderate praiſes, yet certainly any man, that would guide his hiſtorical faith arigkt, will much rather choſe to believe men either Actors in buſineſs, or neighbours to it, and ſuch as receive aſſurance from their eyes, than men that are remote, and ſuch as are neceſſitated to ſee through the falſe or broken light of information; eſpecially perſons hid in* cells, *and* excluded *from* buſineſs, *abſolutely devoted to a religion, to which ſhe was an* Appuy, *abſolute Enemy to that Power, under which ſhe received juſt ſentence and execution. To ſay nothing that Religions, eſpecially thoſe that ſeek to grow into the repute of the world by carnal ways, think themſelves highly advanced by a long Bead-roll of Martyrs,*

be

be their pretences never ſo ſlight, or their perſons themſelves never ſo much deſerving an Anathema.

And thus much I think may ſerve to ſhew that all Blood-Royal *is not unmingled, and that they that tie ſuch poſitive devotion to ſucceſſion, do it not upon ſuch grounds, but that they may juſtly fear, that many times they adore a* Perkin-Warbeck *inſtead of a* Duke *of* York, *and ſacrifice to a guilded idol inſtead of one of maſſy gold. For certainly, for a man to pin his faith upon any that may be dubious, is ſuch a craſineſs in the underſtanding, as will bring all inconveniences either upon his reaſoning or civil happineſs.*

Farewell.



THE

A

DETECTION

Of the *Actions* of

MARY

QUEEN of SCOTS

CONCERNING

The MURDER of her HUSBAND, and her Conſpiracy, Adultery, and pretended Marriage with Earl BOTHWEL;

AND

A Defence of the true LORDS, Maintainers of the KING's Majeſty's Action and Authority.

Written in Latin by *G. BUCHANAN.*

Tranſlated into *Engliſh* by a PERSON of HONOUR, of the Kingdom of *Scotland.*

Printed in the Year, 1721.

A DETECTION OF THE ACTIONS OF MARY Queen of *SCOTS.*

WHEREAS of things judicially determined within a dominion, to have an account demanded by ſtrangers, is, to ſuch as are not ſubject to foreign juriſdiction, both ſtrange, and alſo for the ſtrangeneſs diſpleaſant. To us, above all other, it ought to be moſt grievous, who are driven to this ſtrait of neceſſity, that

whoſe faults we deſire to cover, their lives we are forced to accuſe, unleſs we ourſelves will be accounted the moſt wicked perſons that live. But a great part of this grief is relieved by your equity (moſt excellent Queen!) who take it no leſs diſpleaſantly to ſee your kinſwoman, than we to ſee our Queen thus in ſpeech of all men to be ſo diſhonourably reported of; who alſo are for your part no leſs deſirous to underſtand the truth, than we for ours to avoid ſlander. Therefore we will knit up the matter as briefly as poſſibly may be, and declare it with ſuch ſhortneſs, as we may rather ſeem to have lightly run over the chief points, than to have largely expreſſed them, beginning at the Queen's firſt inconſtancy. For as in making of her marriage, her lightneſs was very headlong and raſh, ſo ſuddainly follow'd either inward repentance, or at leaſt outward tokens of change of her affection, without any cauſes appearing. For whereas the King in former time was not only neglected, but alſo unworthily uſed, at length began open hatred to break out againſt him, eſpecially in that winter, when he went to *Peble* with a ſmall train, even too mean for a private man, not being ſent thither a hawking, but commanded away into a corner, far from counſel, or knowledge of publick affairs. Neither is it neceſſary to put in writing thoſe things, which as they were then as a ſpectacle noted of all

men's

men's eyes; ſo now, as a freſh image, they remain, imprinted in all men's hearts. And though this were the beginning of all the evils that follow'd, yet at the firſt their practices were ſecret, ſo as not only the common people, but alſo ſuch as were right familiar and preſent at the doing of many matters, could not underſtand throughly, what thing the Queen then chiefly intended.

AT the laſt, about the month of *April*, in the year 1566, when the Queen was returned from *Dunbar* to *Edinburgh*, and was lodged in the caſtle, ſhe kept there till the time of her travail of child. After her deliverance, immediately the ſecret counſels of the intended miſchief began to break out, the effect whereof was this, To diſpatch away the King by one means or other howſoever, and to marry with *Bothwel:* And, that herſelf ſhould not be touched with ſuſpicion of the murder, ſhe began ſecretly, by little and little, to ſow ſeeds of diſſention between the King and the Lords that were then at Court, ſtill more and more inflaming them, to bring the matter to deadly feud. And if at any time ſhe eſpied the ſuſpicions of the one againſt the other to languiſh, immediately, with new reports to both parts, ſhe whetted them on again to freſh diſpleaſures, perſuading the Nobility againſt the King, and the King againſt the Nobility, that each intended others deſtru-

ction. And ſhe thought nothing ſo long as to ſee the matter come to ſtrokes, not caring whether of them obtain'd the victory; for ſhe accounted the loſs on either ſide for her advantage, as hoping thereby to advance forward one degree nearer to that which ſhe intended. Finally, In ſhort time ſhe ſo filled their hearts with mutual jealouſies one againſt another, that there was not a man of any reputation in the Court, but was driven to this neceſſity, either with diſhonour to yield to rumours feigned againſt him, or to enter into combat with the reporters, or to withdraw him home. And though we ſhall paſs over the reſt, having deſire to haſte to the chief point of the matter, yet this one notable ſlanderous practice at that time, is not to be omitted: For on a time when the King had been in talk with the Queen, till the night was far ſpent, the ſum, in a manner, of all her communication was, that almoſt all the Nobility had conſpired his death, and were deviſing how to diſpatch him. After the King's departure from her, ſhe ſent forthwith for the Earl of *Murray* her brother, who after was Regent, with this meſſage, That the matter was heinous, and neceſſarily requiring his preſence without delay. He being awak'd out of ſound ſleep, in great fear, caſt a night-gown over his ſhirt, and as he was, half-naked, ran to her in haſte. To him ſhe uſed even the like talk as ſhe had then

before

before to the King, informing him, That the King boiled in ſuch deadly hatred againſt him, and took it ſo diſpleaſantly that he ſtood ſo highly in her grace, that he was fully determined, ſo ſoon as any poſſible opportunity ſerved, to murder him. So, as much as in her lay, ſhe left no means unaſſay'd to ſet them together by the ears; and, without all doubt, had done it indeed, if it had not been God's good pleaſure to deliver the innocent perſons from ſo perillous treaſons, and to diſcloſe her wicked treachery.

The Queen offereth to be Bawd to her own Husband.

WHEN this attempt failed her, ſhe aſſay'd the young and unexperienced Gentleman with a new ſubtil practice. She earneſtly laboured with him, that while ſhe was great with child, he ſhould chuſe him ſome young Gentlewoman, whereof there was great ſtore, whoſe company he might uſe in the mean time. She promiſed him her aſſent and furtherance, with pardon and leave to commit the offence. She named to him the Earl of *Murray*'s wife; not for that ſhe eſteemed that moſt noble Lady moſt apt for ſuch a villany, but becauſe ſhe thought by that way to be revenged of three enemies at once, the King, the Earl, and his wife, and therewithal to win a colour and cauſe of divorce, to make empty bed-room for *Bothwel*. After ſhe was deliver'd of child, though ſhe courteouſly entertained all others,

yet as oft as word was brought her that the King was come to ſee her, both ſhe and her company ſo framed their ſpeech and countenance, as if they ſeemed to fear nothing more than that the King ſhould not perceive that they loath'd him, and that his coming and preſence was diſpleaſant to them all. On the other ſide, *Bothwel* alone was all in all; he alone was governour of all her counſels, and all her affairs: And ſo deſirous was the Queen to have her hearty affection towards him underſtood of all men, that if any ſuit were to be made towards her, there was no way of ſpeeding for any man, but by *Bothwel*, to obtain it.

NOT long after her deliverance, on a day very early, accompanied with very few that were privy of her counſel, ſhe went down to the water-ſide, at the place called the *New Haven*; and while all marvelled whither ſhe went in ſuch haſte, ſhe ſuddenly entered into a ſhip there prepared for her: which ſhip was provided by *William Blacater*, *Edmond Blacater*, *Leonard Robertſon*, and *Thomas Dickſon*, *Bothwel*'s ſervants, and famous robbers and pyrates. With this train of thieves, all honeſt men wondering at it, ſhe betook herſelf to ſea, taking not any other with her, no not of her gentlemen, nor neceſſary attendants for common honeſty. In *Aloe*-Caſtle, where the ſhip arrived, how ſhe behaved herſelf, I had rather every man ſhould with himſelf imagine it, than hear me declare

it,

it. This one thing I dare affirm, that in all her words and doings, ſhe never kept any regard, I will not ſay of Queen-like majeſty, but not of Matron-like modeſty. The King, when he heard of this ſudden departure of the Queen, followed her with all the haſte that he poſſibly could by land, and there overtook her, in purpoſe and hoping there to be in her company, and to enjoy the mutual loving fellowſhip of marriage. But how lovingly he was received of her, both all they that were preſent, and ſuch as have heard them report it, can well remember: For being ſcarcely ſuffered to tarry there a few hours, while his men and horſes baited, he was enforced to get him away in haſte again, on pain of further peril. As for herſelf, ſhe paſtimed there certain days, if not in princely magnificence, yet in more than princely, or rather unprincely licentiouſneſs. There went ſhe a hunting, once at the river of *Magat*, another time at the foreſt of *Glenartus*. There how coily, yea how loftily and diſdainfully ſhe behaved herſelf to the King, what need it be rehearſed, for the thing was openly done in all men's ſight, and continueth inprinted in all men's memories.

WHEN ſhe was return'd to *Edinburgh*, ſhe took not her lodging in her own palace, but in a private houſe next adjoyning to *John Balfours*. Thence ſhe removed into another houſe, where the yearly Court, which

they call the Exchequer, was then kept: For this houſe was larger, and had pleaſant gardens to it, and next to the garden, all along, a ſollitary vacant room. But there was another matter which, more than all theſe things, ſpecially allured her thither. There dwelt hard by, one *David Chambers*, *Bothwel's* ſervant, whoſe back-door adjoyn'd to the garden of the Queen's lodging. The reſt, who gueſſeth not? for the Queen herſelf confeſſed the matter, both to many others, and alſo, namely, to the Regent and his mother. But ſhe laid all the blame upon my Lady *Rereſe*, a woman of moſt vile unchaſtity, who had ſometime been one of *Bothwel's* harlots, and then was one of the chief of the Queen's privy-chamber. By this woman, who now in her age had, from the gain of whoredom, betaken herſelf to the craft of bawdry, was the Queen, as herſelf ſaid, betray'd. For *Bothwel* was brought through the garden into the Queen's chamber, and there forced her againſt her will forſooth. But how much againſt her will, Dame *Rereſe* betrayed her, time, the mother of truth, hath diſclos'd; for within few Days after, the Queen intending, as I ſuppoſe, to requite force with force, and to raviſh him again, ſent Dame *Rereſe* (who had herſelf alſo before made trial of the man's ſtrength) to bring him captive unto her highneſs. The Queen, with *Margaret Carwood*, a woman

privy

privy to all her ſecrets, did let her down by a ſtring over an old wall into the next garden. But in ſuch warlike affairs, all things cannot ever be ſo well foreſeen, but that ſome incommodious chance may overthwartly happen: Behold, the ſtring ſuddenly broke, and down with a great noiſe fell Dame *Rereſe*, a woman very heavy, both by unweildy age, and maſſy ſubſtance. But ſhe, an old beaten ſoldier, nothing diſmay'd with the darkneſs of the night, the height of the wall, nor with the ſuddenneſs of the fall, up ſhe getteth, and running to *Bothwel*'s chamber, ſhe gate the door open, and out of his bed, even out of his wife's arms, half aſleep, half naked, ſhe forceably brings the man to the Queen. This manner and circumſtances of the deed, not only the moſt part of them that then were with the Queen have confeſſed, but alſo *George Dagliſh*, *Bothwel*'s chamberlain, a little before he was executed, plainly declared the ſame, which his confeſſion ſtill remaineth upon record.

IN the mean time, the King being commanded out of ſight, and with injuries and miſeries baniſh'd from her, kept himſelf cloſe, with a few of his ſervants, at *Sterlin*. For, alas! what ſhould he elſe do? He could not creep into any piece of grace with the Queen, nor could get ſo much as to maintain his daily neceſſary expences to maintain

tain his few ſervants and horſes; and finally, with brawlings, lightly ariſing from every ſmall trifle, and by quarrels, uſually pick'd, he was chaſed out of her preſence: Yet his heart, obſtinately fixed in loving her, could not be reſtrained, but he muſt needs come back to *Edinburgh*, on purpoſe, with all kind of ſerviceable humbleneſs, to get ſome entry into her former favour, and to recover the kind ſociety of marriage. Who once again being with moſt diſhonourable diſdain excluded, returned from whence he came, there to bewail his woful miſeries, as in a ſolitary deſert.

WITHIN few days after, when the Queen determined to go to *Jedworth*, to the Aſſizes there to be holden, about the beginning of *October*, *Bothwel* maketh his journey into *Liddeſdale*. There behaving himſelf neither according to the place whereto he was called, nor according to his Nobility of race and eſtimation, he was wounded by a poor thief, that was himſelf ready to die, and carried into the Caſtle called the *Hermitage*, with great uncertainty of his recovery. When news hereof was brought to *Borthwick* to the Queen, ſhe flingeth away in haſte like a mad woman, by great journeys in poſt, in the ſharp time of winter, firſt to *Melroſe*, and then to *Jedworth*. There, though ſhe heard ſure news of his life, yet her affection, impatient of delay, could

could not temper itſelf, but needs ſhe muſt bewray her outragious luſt, and in an inconvenient time of the year, deſpiſing all diſcommodities of the way and weather, and all dangers of thieves, ſhe betook herſelf headlong to her journey, with ſuch a company as no man of any honeſt degree would have adventured his life and his goods among them. Thence ſhe returned again to *Jedworth*, and with moſt earneſt care and diligence, provideth and prepareth all things to remove *Bothwel* thither. When he was once brought thither, their company and familiar haunt together, was ſuch as was finally agreeing with both their honours. There, whether it were by their nightly and daily travels, diſhonourable to themſelves, and infamous among the people, or by ſome ſecret providence of God, the Queen fell into ſuch a ſore and dangerous ſickneſs, that ſcarcely there remained any hope of her life.

WHEN the King heard thereof, he haſted in poſt to *Jedworth*, to viſit the Queen, to comfort her in her weakneſs, and by all the gentle ſervices that he poſſibly could, to declare his affection and hearty deſire to do her pleaſure: So far was it off, that his lodging, and things neceſſary, were provided for him againſt his coming (as were wont to be for mean perſons) that he found not any one token towatd him of a friend-

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ly mind. But this was a point of moſt barbarous inhumanity uſed againſt him, that the Nobility, and all the Officers of the court, that were preſent, were ſpecially forbidden to do him any reverence at all at his coming, nor to yield him their lodging, nor to harbour him ſo much as for one night. And whereas the Queen ſuſpected that the Earl of *Murray*, which afterward was Regent, would ſhew him courteſie, ſhe practiſed with his wife to go home in haſte, and feign herſelf ſick, and keep her bed, that at leaſt by this colour, under pretence of her ſickneſs, the King might be ſhut out of doors. Being thus denied all duties of civil kindneſs, the next day, with great grief of heart, he returned to his old ſolitary corner. In the mean time, while the King in that want of all things, and forſaken of all friends, ſcarce with begging findeth room in a cottage, *Bothwel*, out of the houſe where he was lodged before, as it were in triumph over the King, was glorioufly removed, in ſight of the people, into the Queen's own lodging, and there laid in a lower parlour, directly under the chamber were the Queen herſelf lay ſick. There, while they both were yet feeble and unhealed, ſhe of her diſeaſe, and he of his wound, the Queen being very weak of her body, yet viſited him daily. And when they were both a little recovered, and their ſtrengths not yet

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fully ſettled, they returned to their old paſtime again, and that ſo openly, as they ſeemed to fear nothing more, than leſt their wickedneſs ſhould be unknown.

ABOUT the 5th day of *November*, being removed from *Jedworth* to a town called *Calco*, there ſhe received letters from the King: Which when ſhe had read in preſence of the Regent, the Earl of *Huntley*, and the Secretary, ſhe caſt a pitious look, and miſerably tormented herſelf, as if ſhe would have immediately fallen down again into her former ſickneſs; and ſhe plainly and expreſly proteſted, that unleſs ſhe might, by ſome means or other, be diſpatched of the King, ſhe ſhould never have one good day: And if by no other way ſhe could attain it, rather than ſhe would abide to live in ſuch ſorrow, ſhe would ſlay herſelf.

WITHIN few days after, while in her return through *Marchland* ſhe lay at *Coldingham*, Dame *Rereſe* paſſed through the watch, and was known, and let go. What company ſhe had, and whither ſhe went at that time of the night, it was no unknown to the Queen. From thence, about the end of *November*, ſhe came to *Cragmiller*, a caſtle about two miles from *Edinburgh*, there, in preſence of the Earl of *Murray* (who afterward was regent, and now is himſelf alſo ſlain) and of the Earls of *Huntley* and *Argyle*, and the ſecretary, ſhe fell into her ſaid former diſcourſe,

and

and alſo added the moſt commodious way, as ſhe thought, how it might be brought to paſs, that is, to ſue a divorce againſt the King. And ſhe doubted not but that it might be eaſily obtained, foraſmuch as they were the one to the other in ſuch degree of conſanguinity, as by the Popes law might not marry together, eſpecially (which was eaſy for her to do) the Bull being conveyed away, whereby the ſame law was diſpenſed with. Here when one had caſt a doubt, that if ſhe ſhould go that way to work, their Son ſhould be made a baſtard, being born out of lawful wedlock, eſpecially, ſith neither of his parents were ignorant of the cauſes whereby the marriage ſhould be void. When ſhe had toſſed this anſwer a while in her mind, and knew that he ſaid truth, and that ſhe durſt not as yet diſcloſe her purpoſe to make away her Son, ſhe gave over that deviſe of divorce, and yet from that day forward, ſhe never ceaſed to purſue her intention of murdering the King, as may eaſily be perceived by that which followed.

Couſin Germanes.

THE King being returned from *Sterline* to *Cragmillar*, when he hoped to have found her more gentle toward him, and her diſpleaſure by proceſs of time ſomewhat appeaſed, he ſo found no token of change of her affection, that he was not allowed any thing for his

his daily ſuſtenance, unleſs he kept him ſtill at *Sterline*. Which thing exceedingly increaſed the peoples ſuſpicion, otherwiſe of it ſelf already enough inclined to that judgment, of the unchaſt company of the Queen with *Bothwel*.

ABOUT the beginning of *December*, when there were Embaſſadours came out of *France* and *England*, to the chriſtning of the King that now is: That *Bothwel* might be ſeen gorgeouſly arrayed among the Nobility, ſhe her ſelf laid out the money to buy him apparel, and ſome ſhe bought her ſelf of the Merchants for him, and ſhe ſo applied her ſelf, with ſuch diligence in overſeeing the making thereof, as if ſhe had been, I will not ſay his Wife, but even his ſervant. In the mean time, her lawful Husband, at the chriſtning of his own child, not only wanted all her maintenance for his neceſſary expences, but alſo was commanded not once to come in the Embaſſadours ſight; his ordinary ſervants were removed from him; the Nobility were injoyned not once to attend on him, nor to do him honour, nor in a manner to know him: The foreign Embaſſadours were warned not to talk with him, when as the moſt part of the day they were in the caſtle where he was.

THE young gentleman, thus contemptuouſly and unkindly uſed, fell in ſuch diſpair, that he departed from *Sterline* and went to *Glaſgow*

Glaſcow to his Father. At his departure, the Queen ſtill purſued him with her wonted hatred. All his ſilver plate, wherewith he was ſerved from his marriage till that day, ſhe took it away every whit, and appointed pewter in the ſtead thereof. But let this ſerve only to prove her contempt of him: The reſt that followed are evident arguments of outragious cruelty and unappeaſable hatred. Before he had paſſed a mile from *Sterline*, all the parts of his body were taken with ſuch a ſore ach, as it might eaſily appear, that the ſame proceeded not of the force of any ſickneſs, but by plain treachery. The tokens of which treachery, certain black pimples, ſo ſoon as he was come to *Glaſcow*, brake out over all his whole body, with ſo great ach and ſuch pain throughout all his limbs, that he lingered out his life with very ſmall hope of eſcape: And yet all this while, the Queen would not ſuffer ſo much as a Phyſician once to come at him.

AFTER the ceremonies of the Chriſtening ended, ſhe practiſed with her Brother the Earl of *Murray*, that when he ſhould go to conduct the Earl of *Bedford*, the Queen of *Englands* Ambaſſadour to St. *Andrewes*, he ſhould require *Bothwel* alſo to bear him company: Who, indeed, freely promiſed ſo to do; howbeit, both he and the Queen, the deviſer of that diſſimulation, thought nothing leſs, as the ſucceſs ſhewed. For ſo

ſoon

ſoon as the King was gone to *Glaſcow*, and the reſt towards St. *Andrewes*, ſhe with her *Bothwel*, got her to *Drumen*, and from thence to *Tylebarn*. In which houſes, they ſo paſſed the time about eight days, in every corner, and in familiar haunting together, as all (ſaving themſelves alone, that had thrown away all ſhame) were highly offended with their contempt and vile regard of publick fame, ſeeing them now not once to ſeek to cover their filthy wickedneſs.

WHEN about the beginning of *January*, they were returned to *Sterline*, ſhe began to find fault with the houſe wherein her ſon was nurſed, as incommodious, becauſe it ſtood in a cold and moiſt place, dangerous for bringing the Child to a rheume. But it ſhall eaſily appear, that this was done for other purpoſe, foraſmuch as all theſe faults, that ſhe pretended were not in that houſe, but were indeed in the other houſe to which the Child was removed, being ſet in a low place, being a very Marſh. The Child being ſcarcely above ſix Months old, in the deep of a ſharp winter, was conveyed to *Edenburgh*. There, becauſe the firſt attempt prevailed not, and the force of the poyſon was overcome by ſtrength of nature, that at length yet ſhe might bring forth that wherewith ſhe had ſo long travailed, ſhe entreth into new deviſes for the murder of the King.

HER ſelf goeth to *Glaſcow*, ſhe pretendeth the cauſe of her journey to be to ſee the King alive, whoſe death ſhe had continually gaped for the whole moneth before. But what was indeed the true cauſe of that journey, each man may plainly perceive by her letters to *Bothwel*. Being now out of care of her Son, whom ſhe had in her own ward, bending her ſelf to the ſlaughter of her Husband, to *Glaſcow* ſhe goeth, accompanied with the *Hameltons*, and other the Kings natural enemies.

Bothwel (as it was agreed on between them before) provideth all things ready, that were needful to accompliſh that hainous act; firſt of all, a houſe not commodious for a ſick man, nor comely for a King, for it was both torn and ruinous, and had ſtood empty without any dweller for divers years before: In a place of ſmall reſort, between the old fallen walls of two churches, near a few almshouſes for poor beggars. And that no commodious means for committing that miſchief might be wanting, there was a poſtern door in the town-wall hard by the houſe, whereby they eaſily might paſs away into the fields. In chuſing of the place, ſhe would needs have it thought, that they had reſpect to the wholeſomeneſs thereof. And to avoid ſuſpicion, that this was a feigned pretence, her ſelf the two nights next before the day of the murder, lay there in a lower room under the King's

King's chamber. And as ſhe did curiouſly put off the ſhews of ſuſpicion from her ſelf, ſo the execution of the ſlaughter, ſhe was content to have committed to others.

ABOUT three days before the King was ſlain, ſhe practiſed to ſet her brother *Robert*, and him at deadly enmity, making account, that it ſhould be gain to her, which ſoever of them both had periſhed. For matter to ground their diſſention, ſhe made rehearſal of the Speech the King had, had with her, that concerning her Brother. And when they both ſo grew in talk, as the one ſeemed to charge the other with the lye, at laſt they were in a manner come from words to blows. But while they were both laying their hands on their weapons, the Queen feigning as though ſhe had been marvelouſly afraid of that which ſhe ſo earneſtly deſired, calleth the Earl of *Murray* her other Brother to the parting, to this intent, that ſhe might either preſently bring him in danger to be ſlain himſelf, or in time to come, to beat the blame of ſuch miſchief as then might have happened. When this way the ſucceſs fell not out as ſhe deſired, ſhe deviſed a new way to transfer the ſuſpition from her ſelf. While the Earl of *Murray* did willingly keep himſelf from the court, and had reaſonable excuſe for his abſence, for that his wife being near her time, was beſides that always very ſick: At the ſame time there was an Ambaſſador come

from the Duke of *Savoy*. This the Queen took for a convenient colour to ſend for her brother: But the true cauſe of her ſending for him was, that ſhe had a deſire to throw the ſuſpition of the King's murder upon him, and upon the Earl *Moreton*, and therewithal alſo at once to procure the deſtruction of thoſe two, being men acceptable to the peril, and likewiſe adverſaries to her practice, who intended to ſet up a tyrannical Government: But Gods good clemency that had oft before delivered the Earl of *Murray* from many treaſons of his enemies, did then alſo manifeſtly ſuccour him: For upon the Sunday, which was the ninth day of *February*, when he was going to Church, to hear a Sermon, a Letter was brought him, that his Wife was delivered before her time, and in very ſmall hope of life. When he, being diſmayed at this ſudden news, deſired leave of the Queen to depart; ſhe anſwered, That if the cauſe were ſo, it were a ſuperfluous journey for him to go to her, being not able to do her any good in her ſickneſs. But he being ſtill the more importunate, ſhe prayed him, That he would yet tarry but that one night, and take his journey the next day to his wife. But the mercy of God now, as at many other times, did deliver that innocent Gentleman from the preſent peril, and alſo took away the occaſion of ſlander againſt him for the time to come. Nowbeit for all this, though there were no

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cauſe of ſuſpition, yet he eſcaped not free from ſlander: For *Huntley* and *Bothwel*, though they could not juſtly charge him, yet laboured by infamous libels, which they ſpread abroad, to diſtein him with the moſt foul ſpot of that ſhameful act. And whereas the murder was committed after midnight, they had before day-light cauſed (by ſpecial fore-appointed meſſengers) rumours to be ſpread in *England*, that the Earls of *Murray* and *Moreton* were acters of that ſlaughter. But that rumour, ſo ſoon as the light of the truth once brake forth, ſuddenly vaniſhed away, as other falſhoods are commonly wont to do.

WHEN all things were ready prepared for performing this cruel fact, and yet all occaſions cut off to divert the blame thereof, the partners of the conſpiracy, fearing leſt long delay ſhould either bring ſome impediment to their purpoſe, or diſcloſe their counſels, determined to diſpatch it in all haſte. The Queen therefore for manners ſake after ſupper, goeth up to the King's lodging. There, being determined to ſhew him all the tokens of reconciled good will, ſhe ſpent certain houre in his company, with countenance and talk much more familiar than ſhe had uſed in ſix or ſeven Months before. At the coming in of *Paris*, ſhe broke off her talk, and prepared to depart. This *Paris* was a young man born in *France*, and had lived certain

years in the houſes of *Bothwel*, and *Seton*, and afterward with the Queen. Whereas the other keys of that lodging were in cuſtody of the King's ſervants; *Paris* by feigning certain fond and ſlender cauſes, had in keeping the keys, which *Bothwel* kept back, of the back gate and the poſtern. He was in ſpecial truſt with *Bothwel* and the Queen, touching their ſecret affairs. His coming (as it was before agreed among them) was a watch-word, that all was ready for the matter. As ſoon as the Queen ſaw him, ſhe roſe up immediately, and feigning another cauſe to depart, ſhe ſaid, alas? I have much offended toward *Sebaſtian* this day, that I appeared not in a mask at his Marriage. This *Sebaſtian* was an *Arvernois*, a man in great favour with the Queen for his cunning in Muſick, and his merry jeſting, and was married the ſame day. The King thus left, in a manner, alone in a deſolate place, the Queen departeth, accompanied with the Earls of *Argyle*, *Huntley*, and *Caſſilis*, that attended upon her. After that ſhe was come into her chamber after midnight, ſhe was in long talk with *Bothwel*, none being preſent but the captain of her guard. And when he alſo withdrew himſelf, *Bothwel* was there left alone without other company, and ſhortly after retired into his own chamber. He changed his apparel, becauſe he would be unknown of ſuch as met him; and put on a looſe cloak, ſuch as

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the *Swartrytters* wear, and ſo went forward through the Watch, to execute his intended traiterous fact. The whole order of the doing thereof, may be eaſily underſtood by their confeſſions, which were put to death for it.

Bothwel, after the deed was ended, that he went about, returned, and as if he had been ignorant of all that was done, he got him to bed. The Queen in the mean time, in great expectation of the ſucceſs, how finely ſhe played her part (as ſhe thought) it is marvel to tell. For ſhe not once ſtirred at the noiſe of the fall of the houſe, which ſhook the whole town; nor at the fearful out-cries that followed, and confuſed cries of the people, (for I think there happened to her not any new thing unlooked for) till *Bothwel* feigning himſelf afraid, roſe again out of his bed, and came to her with the Earls of *Argyle*, *Huntley*, and *Athole*; and with the wives of the Earls of *Athole*, and *Murray*, and with the Secretary. There, while the monſtrous chance was in telling, while every one wondered at the thing, that the King's lodgings was even from the very foundation blown up into the air, and the King himſelf ſlain. In this amazedneſs and confuſed fear of all ſorts of Perſons, onely that ſame heroical heart of the Queen, maintained it ſelf ſo far from caſting her ſelf down into baſe lamentations and tears, unbeſeeming the royal

name, bloud, and eſtate, that ſhe marched, or rather far ſurmounted all credit of the conſtancy of any in former times. This alſo proceeded of the ſame nobility of courage, that ſhe ſet out the greater part of them that were about her, to inquire out the manner of the doing, and commanded the ſouldiers that watched to follow, and ſhe her ſelf, ſettled her ſelf to reſt, with a countenance ſo quiet, and mind ſo untroubled, that ſhe ſweetly ſlept till the next day at noon. But leſt ſhe ſhould appear void of all naturalneſs at the death of her Husband, by little and little, at length ſhe kept her cloſe, and proclaimed a mourning not long to endure.

THE common people, not certainly knowing whether ſhe laughed or lamented, were divided into ſundry imaginations, ſith it was perilous dealing with the diſguiſing of the court, either in knowing it to ſeem to mock it, or in not cunningly diſſembling to ſeem to know it. While ſome talked of one ſort, ſome of another, in the mean time, of any enquiry to be had of the murder, there was no mention made at all. At length, the day following, in the after-noon, when both ſhame and fear conſtrained them thereto, *Bothwel*, the principal doer of the vile act, with certain others that were privy to the ſame, aſſembled together with the Earl of *Argyle*, for that he is by inheritance the Juſtice to deal with crimes puniſhable by death. First,

Firſt, as though they had been utterly ignorant of all that ever was done, they begin to wonder at the ſtrangeneſs of the matter, ſuch as never was heard of, and incredible. Then they begin a little to be buſie about their inquiry, they ſent for a few poor ſilly Women that dwelt thereabout. Which, poor ſouls, ſtanding in doubt whether it were better for them to tell, or hold their peace, though they daintily tempered their ſpeech, yet when they had blabbed out ſomewhat more than the Judges looked for, they were diſmiſſed again as fools that had but undiſcretly prated. For their teſtimonies, though they touched ſome folks ſhrewdly, yet they were ſuch as they might eaſily ſet light by. Then were called and examined the King's ſervants, that were of his houſhold, ſuch as were left undeſtroyed by that cruel chance. They denyed that they had the keys in keeping. Being examined who had them, they ſaid, the Queen. So the enquiry (for manners ſake) was adjourned, but indeed ſuppreſſed, for fear leſt if they proceeded further, the ſecrets of the court might hap to be diſcloſed. Yet leſt the matter ſhould ſeem not to be regarded, out goeth a Proclamation with rewards promiſed to him that could give information of it. But who durſt accuſe the Queen? or (which was in manner more perilous) who durſt detect *Bothwel* of ſuch an horrible offence: Eſpecially when he himſelf

ſelf was both doer, judge, inquirer, and examiner? Yet this fear, which ſtopped the mouths of every man in particular, could not reſtrain the whole multitude in general. For both by books ſet out, and by pictures, and by crys in the dark night, it was ſo handled, that the doers of that miſchievous fact might eaſily underſtand, that thoſe ſecrets of theirs were come abroad. And when every man was now out of doubt, who did the murder, and who gave furtherance unto it, the more that they laboured to keep their own names undiſcloſed, ſo much the more the peoples grudge, (being reſtrained) broke out the more openly. Though they took upon them, as if they regarded not theſe things, yet ſometime the rumours ſo inwardly prickt them to the quick, that they could by no means hide their anger. Therefore, diſcontinuing their ſearching for the King's death, they begin a new enquiry, far more earneſt, againſt the Authors of books, and the ſlanders of *Bothwel*, as they themſelves termed them. Theſe examinations were ſo rigorouſly put in execution, as neither money, nor labour of [redacted] nor horſes was ſpared about it All the painters were called together, all that earned their living by writing, were aſſembled, to judge of the pictures and books that had been ſet out. And if any painter had not of his own accord confeſſed, that it was he of whoſe work they enquired, another that

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was not guilty thereof, but touched a little with a ſlight ſuſpition, had ſuffered for it. There was publiſhed a Proclamation agreeable with the manner of the Inquiſition, wherein it was made death, not only to ſet out any ſuch matter, but alſo to read it, being ſet out by another. But theſe perſons, that with threatning of death practiſed to ſtop the ſpeech of the people, yet not ſatisfied with the moſt cruel murder of the King, ceaſed not their hatred againſt him when he was dead. All his goods, armour, horſes, apparel, and other furniture of his houſe, the Queen divided, ſome to them that ſlew him, and ſome to his Fathers ancient deadly foes, as if they had upon attainder cõme to her by forfeiture, and his Fathers tenants, as though they had been alſo part of our conquered booty, ſhe ſo ſcraped, till ſhe brought them in a manner to extream beggery.

BUT this was a ſtrange example of cruelty, and ſuch as never was heard of before, that as ſhe had ſatisfied her heart with his ſlaughter, ſo ſhe would needs feed her eyes with the ſight of his body ſlain. For ſhe long beheld, and not only without grief, but al[illegible] with greedy eyes, his dead corps, the goodlieſt corps of any Gentleman that ever lived in this age. And then ſuddenly, without any funeral honour, in the night-time, by common carriers of dead bodies, upon a vile Bier, ſhe cauſed him to be buried hard by *David Rizo*,

Rizo. When theſe doings were known abroad, and that the indignation of the people had overcome the threatnings of penalties, and the frankneſs of ſorrow ſurmounted fear, by little and little ſhe began to ſet her face, and with counterfeiting of mourning, ſhe laboured to appeaſe the hearts of the grudging people. For where the ancient manner hath been for Queens, after the death of their Husbands, by the ſpace of forty days, not onely to forbear the company of men, but alſo from looking on the open light, ſhe attempted a diſguiſed manner of mourning. But the mirth of heart far paſſing the feigned ſorrow, ſhe ſhut the doors indeed, but ſhe ſet open the windows, and within four days ſhe threw away her wailing weed, and began to behold both ſun and open ſkie again. But this one thing fell very overthwartly. For when *Henry Killegree* was come from the Queen of *England* to comfort her, as the manner is, this Gentleman ſtrangers hap was to mar the play, and unvizor all the diſguiſing. For when he was, by the Queen's commandment, come to the court, though he being an old courtier, and a good diſcreet Gentleman, did nothing haſtily, yet he came in ſo unſeaſonably, ere the ſtage was prepared and furniſhed, that he found the windows open, the candles not yet lighted, and all the proviſion for the play out of order. When of the forty days that are appointed

pointed for the mourning, ſcarce twelve were yet fully paſt, and the counterfeiting would not frame half handſomly, and to diſcloſe her true affections ſo ſoon ſhe was ſomewhat aſhamed, at length taking heart of grace unto her, and neglecting ſuch trifles, ſhe cometh to her own byas, and openly ſheweth her own natural conditions. She poſteth to *Seton*'s houſe, with a very few, and thoſe not all of the ſaddeſt company. There *Bothwel*, though it ſeemed, that for the great favour he then had in court, and for the Nobility of his birth, and other reſpects of honour, he ſhould have been, next after the Queen, moſt honourably received, yet was lodged in a chamber hard by the Kitchin. Howbeit the ſame was a place not altogether unfit to aſſwage their ſorrows, for it was directly under the Queen's Chamber: And if any ſudden qualm of grief ſhould have happened to come over her heart, there was a pair of ſtairs, though ſomewhat narrow, yet wide enough for *Bothwel* to get up to comfort her.

IN the mean time, after the rumour hereof was ſpread into *France*, Mounſieur de *Croc*, who had often before been Ambaſſadour in *Scotland*, came in ſuddenly upon them, God wot, full unſeaſonably. By his advice ſhe returned to *Edenburgh*, out of that den which, even as far as *France*, was infamous. But in *Setons* houſe were ſo many commodious opportunities for her purpoſe, that howſoever her

her good name were thereby impaired, needs ſhe muſt go thither again. There were counſels holden of the great affairs of the Realm. The end of the conſultation was, that *Bothwel* ſhould be arrained of the murder, and acquit by Judges thereto choſen for the purpoſe, and conſtrained. It was concluded, That the meaner ſort of the Judges might with favour and fair promiſes be led, and the reſt of the greater and graver ſort (whom for faſhions ſake they were driven to call to the matter) might be drawn with fear to acquit him. For beſide Libels thereof commonly thrown abroad, the King's Father, the Earl of *Lennox* did openly accuſe him for principal author of the murder.

THE aſſembly of the States in Parliament was at hand, which was to be holden the thirteenth of *April*, before which day they would needs have the arraignment diſpatched. That great haſte was the cauſe, why in that proceeding and Trial, nothing has been done according to the form of law, nothing in order, nothing after the ancient uſage. There ought to have been publick ſummons of the accuſers, the next of the kin, the Wife, the Father, and the Son, either to be preſent themſelves, or to ſend their Proctors. The law alſo gave them time of forty days. But here the Father was commanded to come within thirteen days, and that without any aſſembly of

his

his friends, with his own houſhold retinue only, which by reaſon of his great poverty, was now brought to a few: While in the mean time *Bothwel* with great bands of men, daily muſtered about the town. And becauſe he verily believed that in ſo aſſured peril, no man would take upon him to be his accuſer, he grew to ſuch a negligence, and ſuch contempt of law and judicial proceedings, that the enditement was framed of a murder ſuppoſed to be done the ninth day of *February*, when indeed the King was ſlain the tenth day. In chooſing and refuſing of the Judges, the like ſeverity was uſed, for the murderers themſelves made the choice of the Judges, when there was no man to take exception againſt them: The Earl of *Caſſiles*, willing rather to pay his amercement, as the manner is, than to be a Judge in the matter, when he had ſtood in it a while, and would not appear at the Queen's requeſt and menacing, yea, though ſhe ſent her ring for credit both of her earneſt prayer and threatning, at length, conſtrained with fear of exile and puniſhment, he yielded. There ſate the Judges, not chooſen to judge, but picked out to acquit: The cauſe proceeded without any adverſary: A Trial in a matter of life and death, when there was never an accuſer, but ſuborned by the party accuſed: So as a man might well think it not the trial of a cauſe in a court,

but

but the playing of an enterlude upon a ſtage.

In all this fearleſneſs of all things, yet behold, I pray you, of what force is the teſtimony of conſcience on either ſide. Suddainly, unlooked for, there ſtarteth up a young man of the Earl of *Lennox* houſe, in whom the reſpect of duty vanquiſhed the fear of danger. This young man made an open proteſtation, that the ſame aſſembly of Judges was not lawful, becauſe in their proceeding there was nothing done according to law nor order. At this ſaying the Judges were all ſtricken in ſuch a fear, that they all, by and by, with one accord made proteſtation, with proviſo, that it ſhould not hereafter be prejudicial to them, in that they had acquitted a priſoner whom no man accuſed, and that they had acquitted him of a murder alledged to be committed the ninth day of *February*, when the King was ſlain the tenth day. This is that ſame noble tryal and judgment, whereby *Bothwel* was, not cleanſed of the crime, but as it were waſhed with Sowters blacking, and ſo more comly prepared to go a wooing to wed the Queen, and ſo to become a Husband to her greater [illegible], than when he was before an adulterer. To make up yet the full perfection and encreaſe of this jolly acquital, there was ſet up a writing in the moſt notorious place of the court, that though *Bothwel* had by juſt trial

and

and judgment been lawfully cleared and acquitted of the murder, whereof he had been falſly accuſed, yet for more manifeſt declaration of his innocency to the whole world, he was ready to try it in combat; if any man of good fame, and a gentleman born, would charge him with the murder of the King.

THE next day after, there was one that ſet up a bill in open place, and offered to accept the combat, ſo that there might for the battel be ſuch a place appointed, wherein the party might ſafely without fear diſcloſe his name.

WHILE matters and mens affections were in this ſtir, the Parliament aſſembled. There after they had for eight days together, in manner done nothing but treated of reverſing the judgment, whereby the Earl *Huntly's* father had been attainted of treaſon, and for reſtoring the ſon to his father's poſſeſſions and honours: There were alſo certain plauſible things granted to pleaſe the People, and ſpecially for the Church, namely the repealing of certain laws of Popiſh Tyranny, made for puniſhing of ſuch as durſt once murmur againſt the decree of the See of *Rome*. Though theſe things were acceptable among the commonalty, yet there remained one thing which no leſs vexed the the Queen, than offended the people, that is to ſay, her company with *Bothwel*, nor

altogether ſo openly as ſhe would fain have had it, and yet not ſo ſecretly, but that the people perceived it, for that all mens eyes were gaping upon them. For whereas *Bothwel* had a Wife of his own, and to tarry for a divorce, was thought an overlong delay, and in the mean time the Queen could neither openly avow to have him, nor ſecretly enjoy him, and yet in no wiſe could be without him; ſome ſhift, though not an honeſt one, yet a ſhift, forſooth, muſt be deviſed; and when they could not think upon a better, it ſeemed to them a marvellous fine invention, god wot, that *Bothwel* ſhould raviſh and take away the Queen by force, and ſo ſave her honour. So within a few days after, as the Queen was returning from *Sterline*, *Bothwel* forceably took her by the way, and carried her to *Dunbar*: Whether with her will, or againſt her will, every man may eaſily perceive by her own letters, that ſhe wrote to him by the way as ſhe was in her journey. But howſoever it were, that the wrong of the raviſhment might be defaced with honeſt colour of marriage, *Bothwel*'s wife was compelled in two courts to ſue a divorce againſt her husband.

BEFORE Judges delegate, appointed by the Queen's authority to have juriſdiction in ſuch cauſes, the Wife accuſeth the Husband of adultery, which with them was a juſt cauſe of divorce. Before popiſh Judges, who

who indeed by law were forbidden, yet by ſpecial diſpenſation of the Biſhop of St. *Andrew*, were for the hearing of this cauſe only permitted: *Bothwel* was accuſed, that before his marrige with his Wife, he had committed fornication with his wife's near kinſwoman: Howbeit all this while they kept cloſe the Pope's *Bull*, by which the ſame offence was diſpenc'd with. The divorce was poſted forward without any ſlackneſs either in the witneſſes, or in the Judges. Within the ſpace of ten days, the matter was taken in hand, began, and intended, joyned unto, tryed and judged before both the companies of Judges. When the ſentence of divorce was given, and ſent to *Dunbar*, *Bothwel* by and by aſſembleth together from all parts, all his friends, his ſervants, and retainers, to convey to *Edinburgh* the Queen, who would then needs take upon her to be a Priſoner.

WHEN that they were thus gathered together, the moſt part of them in armour, by the way, as they were conducting the Queen, many of them were ſuddenly ſtricken in ſome fear, leſt, in time to come, they might be charged for holding the Queen as Priſoner; and although there were no other evidence, yet this one thing would be proof enough againſt them, that in time of peace they were found armed about her. While they were in this doubt, in the midſt of their journey, they all threw away their launces,

and in more peaceable array, at leaſt in ſhew, they conveyed her to the caſtle of *Edenburgh*, which caſtle was alſo the ſame time at *Bothwel's* commandment. There ſhe tarried with *Bothwel*, while the banes were publiſhing. Then ſhe came down out of the caſtle into the town, to the common aſſembly of the Judges, and there pronounced her ſelf to be free at her own liberty. And ſo at length, within eight days, ſhe finiſhed that unmatrimonial Matrimony, all good men ſo far deteſting, or at leaſt grudgingly forejudging the unluckey end thereof, that Monſieur *de Croc*, the *French* King's Embaſſadour, a man very well affectioned to the Queen, one of the faction of the houſe of *Guiſe*, and ſojourning very near to the place, though he were earneſtly required, yet he thought he could not with his honour be preſent at the feaſt.

THESE things were done about the twenty fifth of *May*, in the year of our Lord, 1597. The twenty-fifth day of *June* following, *Bothwel*, being either diſmaid with a guilty conſcience of the vile Fact, or ſent away by the Queen, ſhe came her ſelf to the Lords of the realm, who earneſtly required the publick King-murderer to be brought forth to due execution. What hath been done ſince, pertaineth not much to this preſent matter. And though my ſpeech have been, perhaps, longer than you looked for,

for, yet I plainly perceive in my ſelf, that, while I ſeek to make an end of my tale, I have omitted, and many things for haſte I have but lightly touched; and nothing have I, according to the heinouſneſs of the offence, fully expreſſed.

An Oration, with a Declaration of the Evidence againſt MARY *the* Scottiſh *Queen: wherein is, by neceſſary Arguments, plainly prov'd, that ſhe was guilty and privy of the ſaid Murder.*

SEEING theſe things are by writings and witneſſes ſo probable, and ſtick ſo faſt imprinted in the knowledge of all the people, that ſuch as would have them moſt hidden, cannot deny them: What place is here left for cunning, or what need can be of diligence, to prove or reprove a thing ſo plain and evident? For all things are ſo clear, ſo manifeſt, and ſo mutually knit together, each part to ſtreng-

then other, that there is no need of foreign probations; and all things ſo fully witneſſed, that there is no neceſſity of other arguments. For if any will ask me, as in other matters is us'd to be ask'd, the cauſes of ſo foul a fact, I might alſo likewiſe ask of him, ſith the time, the place, the deed, and the author is ſufficiently known, to what purpoſe is it to ſtand upon ſearching the cauſes, or to enquire by what means it was atchieved? Again, when there be extant ſo many cauſes of hatred, and ſo many tokens thereof, which do offer themſelves to knowledge, as may well be able to bring even things uncertain to be believ'd, ſurely ſo far-fetch'd an explication of the act committed may right well ſeem ſuperfluous. Nevertheleſs, for as much as ſo great is the impudence of the vile offenders in denying, and ſo confident the boldneſs of impudent perſons in lying, let us aſſay to ſee with what weapons truth is able to defend innocency againſt thoſe wicked monſters. If then they demand the cauſe of ſo heinous a deed, I anſwer, It was unappeaſable hatred. I demand of them again, if they can deny that ſuch hatred was, or that the ſame hatred was ſo great, as without blood could not be ſatisfied? If they deny that ſuch hatred was, then let them anſwer me, Why ſhe, a young woman, rich, noble, and finally a Queen, thruſt away from her, in a manner, the young

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Gentleman into exile, he being beautiful, near of her kin, of the blood royal, and (that which is greateſt) entirely loving her, in the deep of ſharp winter, into places neither fruitful of things neceſſary, nor repleniſh'd with inhabitants, and commonly perilous, being haunted with thieves? Why ſent ſhe him away into deſart and craggy mountains, without proviſion, into open perils, and in a manner without any company? What could ſhe more have done, if ſhe had moſt deadly hated him, and covenanted to have him diſpatch'd? But, I trow, ſhe fear'd no ſuch thing. But that voidneſs of fear, I conſtrue to be a note of moſt obſtinate hatred, eſpecially ſith ſhe both knew the places, and was not ignorant of the dangers. That husband, therefore, to whom ſhe was but lately married, againſt the liking of her ſubjects, againſt the will of their friends on both ſides, without whom ſhe could not endure, whom ſhe ſcarcely durſt ſuffer out of her ſight; him, I ſay, ſhe thruſt forth to uncertain death, and moſt certain perils.

WILL ye ask of me the cauſes of the change of her affection? What if I ſay, I knew them not? It ſufficeth for my purpoſe to prove that ſhe hated him. What if I ask again, why ſhe ſo extreamly loved the young man whom ſhe never ſaw before? Why ſhe ſo haſtily married him, and ſo un-

meaſurably honour'd him? Such are the natures of ſome women, eſpecially ſuch as cannot brook the greatneſs of their own good fortune; they have vehement affections both ways; they love with exceſs, and hate without meaſure; and to what ſide ſoever they bend, they are not govern'd by advis'd reaſon, but carried by violent motion. I could, out of the monuments of antiquity, rehearſe innumerable examples; but of herſelf, I had rather believe herſelf.

CALL to mind that part of her letters to *Bothwel*, wherein ſhe maketh herſelf *Medea*, that is, a woman that neither in love nor hatred can keep any mean. I could alſo alledge other cauſes of her hatred, although indeed not reaſonable cauſes, yet ſuch as are able to ſhove forward, and to puſh headlong an outragious heart which is not able to govern itſelf.

BUT herein I will forbear; And, if herſelf will ſuffer me, howſoever ſhe hath deſerv'd of her ſubjects, yet, ſo much as the common cauſe will permit, I will ſpare her honour; yea, I will ſpare it more than the cauſe will allow me.

THEREFORE I omit her other cauſes of hatred, and return to this; that ſhe hated, and not meanly hated him.

WILL you ſee alſo another proof of her hatred? The tender Wife, forſooth, ſo loving and fond of him, when ſhe could not do him

him the duty of a wife, offereth to do him the ſervice of a bawd: She made choice of her own brother's wife to put to him in her place.

WHAT ſhall we think to be the cauſe of this ſo ſudden change? She that of late gapingly ſought for every ſmall breath of ſuſpicion againſt her Husband, and, where true cauſes were not to be found, ſhe invented ſuch as were manifeſtly falſe; and this ſhe curiouſly did, not when ſhe lov'd him, but when ſhe had begun to hate him; and while ſhe was fiſhing for occaſions to be divorc'd from him, even ſhe, I ſay, of her own accord, offereth him a lover, declareth her own contentation therewith, and promiſeth her furtherance.

WHAT can we imagine to be the cauſe hereof? Was it to pleaſe her Husband? No, for ſhe hated him; and although ſhe loved him, yet ſuch manner of doing in a woman is uncredible. Was it that he, knowing himſelf likewiſe guilty of adultery on his part, might the more willingly bear with a partner in uſe of his Wife? No, for he bare with all perforce againſt his will. Was it to find cauſe of divorce, and ſo to drive him to leave his bed empty for *Bothwel?* Yea, that was it indeed that ſhe ſought for, but yet not that alone; for in this woman you muſt imagine no ſingle miſchief. She hated the Earl *Murray's* Wife, even with ſuch hatred as all unhoneſt perſons hate the honeſt.

honeſt. The differences of their two fames much vexed her, and therewithal alſo ſhe coveted to ſet the good Lady's Husband, and the King together by the ears, and ſo rid herſelf of two troubles at once.

THUS you ſee how many and how great things ſhe practis'd to diſpatch, with one labour, her Paramour's enemy, the bridler of her licentiouſneſs, and her own hated Husband, ſhe hopeth to rid all at once; while, by ſuch ſundry ſorts of wicked doings, ſhe maketh haſte to her moſt wicked wedding.

TO what end tended that fearful haſty calling for the Earl *Murray*, at midnight? Could ſhe not tarry till day-light? What was the occaſion of ſo ſuddain fear? The good Woman, god-wot, careful for the concord of the nobility, dearly loving her Brother, and moſt dearly loving her Husband, was afraid, forſooth, leſt her Brother ſhould, in the night, have been aſſaulted by the King, whom ſhe herſelf had diſarm'd. Diſarm'd, ſaid I? yea, ſhe had diſfurniſh'd him of all convenient company for his eſtate, and made him to be ſhaken up with a woman's ſcolding, and that by one of her own train, one who was paſt all ſhame, and of proſtitute unchaſtity.

SHE fear'd much, leſt the young Man, deſtitute of friends, beſet with all ſorts of miſeries, ſhould make aſſault in the night-time.

time. Upon what perſon? The Queen's Brother, a Man of great reputation and power, and in higheſt favour with all eſtates. And where ſhould he have aſſaulted him? In a moſt ſtrong caſtle; whereupon the deed being done, neither was way for him to flee, nor means of refuge to the Queen's mercy. For what cauſe ſhould he aſſail him? there was no enmity between them, but ſuch as ſhe had ſow'd. What ſay you, if ſhe coveted that thing moſt, which ſhe moſt feign'd herſelf to fear: For to what purpoſe elſe ſent ſhe for her Brother to come to her in the night-time, unarm'd? Why did ſhe not adviſe him of this one thing at leaſt, that becauſe he was to paſs by, and hard by the King's door, he ſhould in any wiſe put on his armour? Why did ſhe not either forewarn him of the danger, or defer the calling of him 'till next morning? No, no, ſhe had a more ſubtil purpoſe in hand. She had but newly ſent the King away, inflamed (as ſhe hoped) with hatred of the Earl of *Murray*. So thought ſhe it not unlikely, but that the King, kindled with freſh diſpleaſure, raſh by fervour of youth, lightly believing her by exceſs of love, would have adventured to ſlay his ſuppoſed enemy, naked, unaccompanied and unarmed. So ſent ſhe the King raging in anger to commit the ſlaughter, and practiſed to draw the Earl of *Murray* naked, unaccompanied, unwarned, to be

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ſuddenly trap'd in treaſon. This was her meaning, this was her deſire. But wicked counſels, how ſubtil ſoever they be, are not always proſperous.

WHAT meant this, that after her deliverance of Child, at which time other Women do chiefly comfort themſelves in the lovingneſs of their Husbands, and confeſs that they find ſome eaſe of pain by ſight of them, ſhe at the ſame time driveth her Husband away? What elſe ſhall we ſay ſhe meant thereby; but, as the Poet ſaith, for pure love, godwot, ſhe ſhut him out of doors. But this tender Creature, that either ſhutteth out her Husband, or as ſoon as he is come chaſeth him away again, whoſe ſtomach turned at the ſight of him, who is ſuddenly taken with pangs at his preſence, when ſhe was in the pinnace amongſt pirates and thieves, ſhe could abide at the poop, and be content to handle the boiſterous cables. Now ask I whom ſhe loved, and whom ſhe hated? For that at *Aloe* ſhe drove away the cumberſome interrupter of her paſtime; that again, when he came to her at *Edinburgh*, ſhe rejected him, I blame her not. I am content to believe ſhe did it not for hate to her husband, but for her fancy's ſake; that again at *Jedworth* ſhe ſuffer'd him not to come at her, let it be borne withal; for not without cauſe ſhe feared, leſt the force of her ſickneſs would encreaſe at ſight of him,

him, whoſe death ſhe ſo earneſtly deſired. That ſhe gave ſpecial commandment that no man ſhould lodge him, no man ſhould relieve him with meat or drink, that ſhe in a manner forbad him the uſe of fire and water: This is undoubtedly a token of outragious hatred. But itſeemeth ſhe feared the very infection of her Husband, if he were in any place near her. That ſhe ſent him back from *Cragmillar* to *Sterline*, I complain not. But that ſhe bereaved him of all his neceſſaries, that ſhe took him from his ſervants, that ſhe abated the allowance of his expences, that ſhe alienated the Nobility from him, that ſhe forbade ſtrangers the ſight of him, and (as much as in her lay) took from him, even while he lived, the uſe of heaven, earth, and air: This, I ſay, I know not what to call it, unnaturalneſs, hatred, barbarous fierceneſs, or outragious cruelty? That when we went from *Sterline*, ſhe took away all his Plate, let it be pardoned, for what need had he of ſilver, that carried with him preſent death in his boſom? But this I beſeech you to conſider, what great indignation of all men it hath kindled, that when the King, poor ſoul, made hard ſhift to live in deſolation, ſorrow, and beggery, whilſt that *Bothwel*, like an Ape in purple, was triumphantly ſhewed to the Embaſſadours, of forein Nations, even that ſame partner of her Husband's bed, not ſo much for the

love

love of himſelf, as for deſpight of her Huſband, was carried abroad, ſet out with all kind of ornaments, even that adulterous partner, I ſay, that neither in birth, nor in beauty, nor in any honeſt quality, was in any wiſe comparable with her diſdained Husband. Now let them deny that here were tokens of hatred.

BUT how great, and how unappeaſable this hatred was, even by this ye may gather. Her Husband ſo oft ſhut out, ſo oft ſent away with deſpight, driven to extream poverty, baniſhed into a deſolate corner, far from the court, far from the preſence of men, ſpoiled of his ſervants and houſhold furniture, bereaved, in a manner, of his daily neceſſary ſuſtenance, yet by no injuries can be ſhaken from her, by no fear of death can be withdrawn, but with ſerviceableneſs and patience he aſſayeth, if not to overcome, yet at leaſt ſomewhat to aſſwage the violent cruelty of her unkind courage. In the mean time, what doth this good gentlewife, this merciful Queen, that is at the beholding of men's miſeries ſo kind and pitiful? Neither is ſhe once moved with the loving doings, nor with the wretched plight, nor with the miſerable wofulneſs of her Husband, nor appeaſed by time, nor ſatisfied with torments, but rather with his ſerviceableneſs ſhe is irritated, with his humble prayers ſhe is more inflamed, and at every time of his coming ſhe deviſeth ſome

new

new encreaſe of ſpightful diſhonour: Wherein, when ſhe had ſpent the uttermoſt of all her force, wit, and bitterneſs of nature, when ſhe ſaw the poor young Gentleman, neither to give over by fainting, being oppreſſed with poverty; and though he were deſpiſed of all men, and ſo often thrown into open perils, neither to deſpair, nor otherwiſe, more cruelly, to make away himſelf; at length, as it were glutted with the ſight of his miſeries and torments, ſhe determined preſently to rid him of his calamities, herſelf of irkſomneſs, and her adulterer from fear, and ſo, by certain ſpecial perſons thereto appointed, ſhe cauſed him to be poyſoned, that being abſent from her, he might ſo die with leſs ſuſpicion. But of the poyſon I will ſay more in another place.

WHEN this practice ſtamed not fully to her deſire, ſhe goeth her ſelf to *Glaſcow*, that whom being abſent ſhe could not kill, ſhe might herſelf in preſence ſatisfie both her cruel heart, and her eyes with ſight of his preſent miſeries. And, as if herſelf alone were not ſufficient to execute the cruel tormenting of him, ſhe bringeth into his ſight miniſters of her heinous doings, and his ancient natural enemies, and with theſe outrages travelled to vex his ſoul at his laſt breath. But wherefore gather we arguments, as in a doubtful caſe, when ſhe herſelf will not ſuffer us to doubt at all? She, the Queen herſelf,

ſelf, I ſay, openly proteſted, not to her lover in bed, not among her confederates in ſecret chambers, nor before few and mean Perſons of eſtate, apt to flattery, conſtrained by poverty, or of purpoſe affectioned; ſhe her ſelf, I ſay, openly confeſſed, that ſhe could not live one good day, if ſhe were not rid of the King; and that not once, nor unadviſedly, but in preſence of thoſe Perſonages whom ſhe uſed to call to counſel in the weightieſt affairs. For it cannot be ſaid, unadviſedly ſlipped from her, that was ſo oft ſpoken, in ſo many, ſo far diſtant places, with tears always added, to move credit, before men notable, both for their nobility, wealth, and wiſdom, and wherein ſhe declared her own opinion, practiſed to win their aſſent, and hearkened for their advices. But be it that ſhe forged all theſe things; be it that her tears were feigned; let them not believe it that heard it; let the greatneſs of the outrage make the report uncredible. I my ſelf alſo would gladly be one of that number, to think theſe things uttered by her, rather to groap the minds of others, than that ſhe her ſelf ſo thought in her heart, if it were not ſo, that the thing it ſelf confirmeth the report, that the outragiouſneſs of the doings far ſurmounteth all bitterneſs of utterance.

When he was preparing to depart from *Glaſcow*, ſhe cauſed poiſon to be given him. You will ask, by whom? In what manner? What

What kind of poiſon? Where had ſhe it? Ask you theſe queſtions? As though wicked Princes ever wanted Miniſters of their wicked treacheries. But ſtill you preſs me perhaps, and ſtill you ask me who be theſe Miniſters? Firſt, that poiſoned he was, it is certainly known: For though the ſhameleſneſs of men would not ſtick to deny a thing ſo manifeſt, yet the kind of diſeaſe, ſtrange, unknown to the people, unacquainted with Phyſicians, eſpecially ſuch as had not been in *Italy* and *Spain*, black pimples breaking out over all his body, grievous aches in all his limbs, and intolerable ſtink diſcloſed it. If this cauſe were to be pleaded before grave *Cato* the Cenſor, all this were eaſie for us to prove before him that was perſwaded, that there is no adultereſs, but the ſame is alſo a poiſoner. Need we ſeek for a more ſubſtantial witneſs then *Cato*, every of whoſe ſentences antiquity eſteemed as ſo many Oracles? Shall we not in a manifeſt thing believe him whoſe credit hath in things doubtful ſo oft prevailed? Lo here a man of ſingular uprightneſs, and of moſt notable faithfulneſs and credit, beareth witneſs againſt a woman burning in hatred of her Husband, and in love with an adulterer, and in both theſe diſeaſes of corrupt affections unbridled, untemperable by her eſtate, raging by her power, and indulgently following the wantonneſs of her wealth. But let us omit old and diſcuſſed things, and let us ſever the

credit of inconſtant multitudes from the eaſe of Princes. Let us in ſo great a matter admit no witneſs, in whom either his eſtate may be ſuſpected, or his manners may be blamed. What witneſſes then ſhall we uſe? For by this condition, we may bring forth none under the royal degree of a King or a Queen.

But ſuch vile acts are not wont to be committed by noble and good men, but by lewd and wicked Miniſters. Howbeit that herein alſo the moſt preciſe may be ſatisfied, go to, let us bring forth a royal witneſs. Read her own letter; her letter (I ſay) written with her own hand. What mean theſe words? *He is not much deformed, and yet he hath received much.* Whereof hath he *received much?* The thing it ſelf, the diſeaſe, the pimples, the ſavor do tell you. Even that much he received, that brought deformity, forſooth, very poiſon. But her letters name not poiſon. This is ſufficient for me, that it is there ſaid, that *though he received much, he is not much deformed*, or, *though he be not much deformed, yet he received much.* What meaneth this word *yet?* What elſe but this, that whatſoever it was that he received, the ſame was the cauſe of his deformity, which though it were much, yet was it not ſo much as to work ſuch deformity as was deſired. But be it, it were not poiſon. What then was it elſe? You can find nothing that can with convenience of reaſon be named in place

of

of it. Finally whatſoever it be that is meant by this word *much*, it is ſuch, as ſhe her ſelf, in ſo ſecret and familiar a letter, dare not call by the right name. Yea, and though we would ſhift it off by cavillous expounding, yet ſhe her ſelf will not ſuffer us. Compare that which went before with that which followeth, and by her device and purpoſe for time to come, ye ſhall eaſily underſtand, what it is that ſhe hath done in time paſt. Firſt ſhe ſaith, it is needful that he be *purged*; then ſhe determineth to carry him to *Cragmillar*, where both the phyſicians, and (which is more dangerous than any phyſician) ſhe her ſelf may be preſent. Finally ſhe asketh counſel of *Bothwel*, whether he can deviſe any ſecreter way by medicine, than that at *Cragmillar*, and after a *Bath*. See how all things hang together. *He hath received much, he muſt be purged*, and at *Cragmillar*; that is, in a deſolate corner, in a place, by reaſon of ſmall reſort, very apt for a miſchief to be committed. *And Medicine he muſt uſe*, and what, forſooth? Even the ſame whereof he had before received much. How ſhall that appear? She will have the manner of miniſtring the medicine to be ſecret. If it be to heal him, what needs that ſecrecy? Why is it not adminiſtred openly, in a known and populous place? Now he is eaſed of his ſickneſs, luſty and healthy, why is he purged in an unuſual manner, and in an uninhabited corner? But perhaps it was a ſtrange kind of

diſeaſe, it had need of ſtrange remedies. What Phyſicians then called ſhe to counſel? To whom is this charge committed to ſeek out a medicine and curing for the King? Forſooth, to the King's enemy, to the Queen's adulterer, the vileſt of all two footed beaſts, whoſe houſe was in *France* defamed for poiſoning, and whoſe ſervants were there for the ſame cauſe, ſome tortured, ſome impriſon'd, and all ſuſpected. When was he appointed to receive this noble medicine? Either at his bathing, where he ſhould waſh alone, or after his bathing where he ſhould ſup alone. So forſooth are medicines accuſtomed to be provided by enemies, in a ſecret place, without witneſſes. That therefore while an adulterer, an adultereſs, and the partner of his Wife's body, curiouſly prepareth, and ſecretly miniſtreth; what medicine this is, let every man with himſelf weigh and conſider. By this time, I ſuppoſe, you ſee the hatred of the Queen, how unappeaſeable, how outragiouſly cruel, how obſtinate it was againſt her husband, whom ſhe thruſt among thieves, whom ſhe practiſed to match in feud and battel with the Nobility and with her brethren, who were both naked and poor, loden with deſpights, vexed with railings, aſſailed with poiſon, ſhe drove him away into a ſolitary corner, there to die with the extreameſt torment. Now let us proceed to the other cauſes.

THIS hatred itſelf was of itſelf ſufficient to prick her forward to her enemies ſlaugh-

ter,

ter, often ſought, once attempted, and almoſt atchieved. Yet was there beſides, a ſtronger enforcement, itſelf able to enflame her hatred, I mean the love wherewith ſhe intemperately fancied *Bothwel:* Which love, whoſoever ſaw not, and yet hath ſeen him, will, perhaps, think it incredible. For what was there in him, that was of a woman of any honeſt countenance to be deſired? Was there any gift of eloquence, or grace of beauty, or virtue of mind, garniſhed with the benefits, which we call, of Fortune? As for his eloquence and beauty, we need not ſay much, ſith they that have ſeen him can well remember both his countenance, his gate, and the whole form of his body, how gay it was: they that have heard him, are not ignorant of his rude utterance and blockiſhneſs. But you will ſay, he was in executing attempts, wiſe and politick; in adventuring of perils, hardy and valiant; in free-giving, liberal; in uſe of pleaſures, temperate. For wiſdom, even they that be moſt affectionate unto him, dare not charge him with it. Of valiantneſs indeed he labour'd to win ſome eſtimation, but among horſemen, on a ſwift ſteed well mounted, well provided for his own ſafety; a beholder of other Men's fighting, ſometime hardly chaſing them that fled; but his face toward him near at hand, he never durſt abide. Will ye have an example of his excellent valiantneſs? Of a thief, a notable coward, whom being

yielding, and unawares he had deadly wounded, he was thrown down to the ground, hurt, bruiſed with dry ſtrokes, and had been quite ſlain, if the poor thief's ſtrength, being ready to die, had not failed him. I could rehearſe his glorious vain braggeries in *France*, I could tell of his laſt fearful flight as far as to *Denmark*; but I had rather rub up the remembrance of that day, when the Queen, forſaking him, came to the Nobility, that proteſted to revenge the ſlaughter of the King. The armies ſtood ready in array, *Bothwel* in in number of Men was equal, in place had the advantage; there ſtood before him, to be his reward, being vanquiſher, a Queen much fancying, and entirely loving him; a kingdom, wealth, and honour, for him and his poſterity; moreover, impunity for his offences paſt, extream liberty to do what he liſt for time to come, ability to advance his friends, and be revenged of his enemies: And on the other ſide, if he were vanquiſhed, diſhonour, poverty and baniſhment; finally, all things that thereafter happen'd, or hereafter may happen, were then before his eyes. There were alſo preſent, beſide the two armies, beholders and witneſſes of each man's valiantneſs and cowardice, the Queen, the price of the battel, and Monſieur *de Croc*, the Embaſſador of *France*. Now you look to hear how this magnifical boaſter of valiantneſs did acquit himſelf. Firſt, being mounted upon an excellent horſe, he

came

came bravely before the army. There the man, forſooth, very ſparing of his Country-men's blood, and laviſh of his own, calleth for one to try it with him by combat, man to man: And when there were many on the other ſide, of honourable birth and eſtates, that offer'd to accept the combat, by and by his violent heat cool'd, and his glorious ſpeech quailed; and had it not been that the Queen, as it were ſome God out of a ginn in a tragedy, had by her authority taken up the matter, and forbidden her pretty venerous pigeon to give battel, he had fail'd to find, not only a mean, but alſo an honeſt colour to refuſe to fight, and ſo the combat was interrupted; yet in the joyned battel he behaved himſelf ſo valiantly. Forſooth, the firſt man, almoſt at the beginning, and alone, he ran his way, and ſo at length drew the reſt of his part to flee after him.

BUT his defaults in martial feats, perhaps the man was ſupplied with civil virtues: Alas! what were they? or what virtues could be look'd for in him? A man for the moſt part brought up in the Biſhop *Murray*'s palace, to wit, a moſt wicked corrupt houſe, in drunkenneſs and whoredoms, amongſt moſt vile miniſters of diſſolute miſorder. After that he was grown towards man's eſtate, at dice, and among harlots, he ſo waſted a moſt goodly large revenue of his inheritance, *That* (as the Poet ſaith) *at his need he had not left*

where with to buy him a halter to hang himſelf. He, I ſay, that defiled not only other men's houſes with cuckoldry, but alſo his own with inceſtuous villany.

THIS man therefore, when I ſay to have been beloved of the Queen, and not only loved, but alſo outrageouſly and intemperately loved, they that know it not, will, peradventure, think, that I tell wonders. But ſome man, perhaps, will ſay, Was there none other in all the troop of the youth of Nobility, beſide him, more worthy to be beloved? Certainly there were very many. And one there was, in all things that were wont to allure love, of all other moſt excellent, even her own Husband. What was it then that joyn'd ſo unequal love, and ſo far againſt reaſon? If I ſhall ſay it was likeneſs of conditions, I ſhall name a likely cauſe of love, tho' to ſome men, perchance, it may ſeem an untrue cauſe of their love. Neither am I willing to enter into that diſcourſe. Neither do I affirm the rumours ſpread of her in *France*, in time of her firſt marriage; Howbeit the wickedneſſes of the reſt of her life make ſome proof that they roſe not all of nothing. And many things that have been noiſed of her ſince her return into *Scotland*, I have no mind to believe. As for my part I am content they be buried in forgetfulneſs, or if that cannot be, let them be taken for falſe and feigned. Neither is it neceſſary,

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over-curiouſly to examine cauſes in love, which is uſually ſo carried with a raſh violent motion of a muddy and troubled mind, that for the moſt part it endeth in madneſs, which if ye labour to govern by diſcreet advice, ye do nothing elſe but as if ye ſhould endeavour to be mad with reaſon. But yet here there want no cauſes, for there was in them both a likeneſs, if not of beauty, nor outward things, nor of virtues, yet of moſt extream vices. She a young Woman, ſuddenly advanced to the higheſt degree of authority, when ſhe had never ſeen with her eyes, heard with her ears, nor conſidered in her heart the form of a Kingdom governed by Law, and thereto was furniſhed with the untemperate counſels of her Kinſmen, who themſelves practiſed to ſet up a tyrannous rule in *France*, endeavoured to draw right, equity, laws and cuſtoms of Anceſtors to her only beck and pleaſure.

OF this immoderate deſire, there burſt out from her many times, many words diſcloſing it. This ſhe ſtudied day and night; but againſt this deſire, there withſtood the cuſtom of the country, the laws and ſtatutes, and principally the conſent of the nobility, who remaining ſafe, ſhe could never attain it. To the end therefore that ſhe might be able violently to atchieve it, ſhe determined by force to remove all that ſtood in her way. But ſhe

wiſt

wiſt not well, by what means, or by whoſe help to attempt it.

FRAUD was the way to work it, for otherwiſe it was not poſſible to be obtained. For this purpoſe, therefore, *Bothwel* only ſeemed the fitteſt man, a man in extream poverty, doubtful whether he were more vile or wicked, and who between factions of ſundry religions, deſpiſing both ſides, counterfeited a love of them both. He, when he had once before offered the *Hamiltons* his ſervice to murder the Earl *Murray*, gave thereby a likelihood, that upon hope of greater gain, he would not ſtick to adventure ſome greater enterprize, being one whom the ruin of his own decay'd family prick'd forward headlong to miſchief, and whom no reſpect of godlineſs or honeſty reſtrain'd from ungracious actions. As for exceſſive and immoderate uſe of lechery, he therein no leſs ſought to be famous, than other men do ſhun diſhonour and infamy. She therefore, a woman greedily coveting untempered authority, who eſteem'd the laws her priſon, and the bridle of juſtice her bondage, when ſhe ſaw in her husband not metal enough to trouble the ſtate, ſhe picked out a man for her purpoſe, who neither had wealth to loſe, nor fame to be ſtained; even ſuch an one as ſhe might eaſily overthrow again, if ſhe ſhould once grow weary of him; ſuch a one as ſhe might eaſily ſnare his incontinence with wanton al-

allurements, ſatisfy his need with money, and bind his aſſuredneſs to her with a guilty conſcience, confederate in miſchiefs. Theſe be the fountains of that ſame, not unmeaſurable, but mad love, infamous adultery, and vile parricide, wherewith, as with a pledge, that bloody marriage was plighted. Theſe therefore were the cauſes of enterprizing that heinous act, to wit, unappeaſable hatred of her husband, and intemperate love of her adulterer. There was, moreover, a hope, that the crime might be diverted from them to other, and the execution for it might be laid upon the poor lives of their enemies, and that men moſt guiltleſs of the fault might be thruſt in their place, as ſacrifices to appeaſe the people's diſpleaſure: If not, to what end then ſerved that battel which was almoſt begun to be fought between the King and the Lord *Robert* her brother? To what end tended thoſe ſeeds of diſcord that were ſcattered between the King and the nobility? Wherefore did ſhe ſo curiouſly intreat the Earl *Murray* to ſtay with her the day before the murder was committed? Or what cauſe was there to ſend for him? There was an Embaſſador come out of *Savoy*. For what cauſe? Surely it muſt needs be a great cauſe, and ſuch as could not be ended without the aſſembly of the nobility. No, God wot. The Embaſſador of *Savoy*, being bidden too late to the chriſtening, came when all was ended,

not

not for an Embaſſador to the chriſtening, but as one ſent to excuſe the neglecting of doing that kindneſs, when both he liked not to ſend ſo far for ſo ſmall a matter, and he was ſomewhat aſhamed to have failed in preſence, when the *Frenchmen* and *Engliſhmen* had already done it. For the more honourable diſmiſſing of him, the Earl *Murray* was ſent for, and that with ſundry meſſengers, to come from his wife that lay a-dying. What need was there then of his preſence? To draw him to be a party in conſpiracy of the ſlaughter? Why was it never attempted before? Thought they it beſt then at the laſt point, at the very inſtant when the murder ſhould be committed, to joyn him to their fellowſhip, as a light man, inconſtant, and ſhifting his purpoſes at every moment of time, infamous in his former life, and not well aſſured in his preſent eſtate? No, there is none of theſe things that they yet dare ſay of him. Seeing then they cannot imagine a falſe cauſe to ſtay him, what was the true cauſe indeed every man may eaſily gather; even the ſame that cauſed firſt the Earl of *Athol*, and afterwards him to depart from the court; the ſame that ſo brought him in danger of death; the ſame that had ſlander'd him with falſe rumours ſcatter'd in *England*; the ſame that perſecuted him with infamous libels of the murderers themſelves; the ſame that made him to chuſe rather to go into baniſh-

baniſhment, than to remain in court among ruffians weapons, with great peril of his life.

BUT what availeth this equity of the cauſe before hearers, either utterly ignorant of the matter how it was done, or of themſelves diſſavouring this part; are envious, or apt to be carried away with feigned rumours; which eſteem the ſlanders of moſt lewd ſlight perſons for true teſtimonies, and give credit to theſe men, who boaſting, at home, that they are able to do what they liſt, yet neither dare commit their cauſe to the ſentence of the Judges, nor were able to defend themſelves in battel? And as by a guilty conſcience of offences they feared judgment; ſo by rage, grown of their guiltineſs, they run headlong to battel, and from battel run cowardly away: And now again, when ſtanding upon the advantage that they have both in number and wealth, they ſcorn the wiſdom of their adverſaries, and deſpiſe their power in compariſon of their own; yet diſtruſting to prevail by true manhood, they fall to robbery, and turn their ungracious minds, to ſlandering, cavelling, and lying, whom but yet for the good will that I bear to my Countrymen, I would adviſe to ceaſe from this folly, or fury, or diſeaſe of evil ſpeaking, leſt in time to come, when truth ſhall ſhine out, they ſhut up and ſtop with hatred of them thoſe perſons ears to their petitions, whom

now

now they fill and load with falſe rumours, for there will not always be place for forgiveneſs: But as darkneſs at the ſun ſhining, ſo lies at the light of truth muſt vaniſh away.

As for the commodious means for committing that vile fact, and the hope of hiding it, I need not to purſue the declaring of them in many words, ſith both the eaſineſs to do it, the opportunities of places, and all advancements of occaſions and ſeaſons were in their own power: And to hide the fact, what needed they? When they feared no puniſhment although it were publiſhed? for what puniſhment could they fear in ſo ſtrong a conſpiracy? when both the force of Laws, whereof themſelves were Governors, was utterly extinguiſhed, and the minds of the moſt part of men were either ſnared with parnerſhip of the miſchievous fact, or carried with hope, or foreſtalled with rewards, or diſcouraged and bridled with fear of ſo great a power on the other part? But howſoever this be, yet it will be good to ſee throughly both the order of the doing, the unadviſedneſs, inconſtancy, and end of their deviſes. For thereby ſhall ye perceive, that there wanted not deſire to hide the fact, but that the fury of a diſtracted mind overthrew all the order of their counſels, while ſometime, as deſirous to beguile publick fame, they endeavoured to keep cloſe their intended miſchief, yet they dealt therein ſo openly, as careleſs of

their

their eſtimation, they ſeemed to make ſmall account how men judged of their doings. For at his preparing to go to *Glaſcow*, the poiſon was given him ſecretly, and they thought they had ſufficiently well provided that he ſhould in his abſence from them, be conſumed with pining ſickneſs. But the reſt of their dealings toward him were ſo cruelly handled, that though his diſeaſe ſhould have happened to be natural, yet it would have been ſuſpected for poiſoning. For he, her Husband, the father of her only and firſt-born child; the father, I ſay, of that ſon, whoſe chriſtning was ſolemnized with that great pomp and glory, being eſcaped away, in a manner, naked out of his houſe flaming in fire, tormented by the way with grievous pain, when he lay at *Glaſcow*, of a dangerous ſickneſs, likely to die, what did his excellent good wife the while? What did ſhe? At the firſt news of it, did ſhe haſt to him in poſt? Doth ſhe with her preſence, with her friendly familiar ſpeech, or with her loving countenance comfort him in ſickneſs? When ſhe cannot ſtay him in life, cometh ſhe to receive his laſt breath? Cloſeth ſhe his eyes at his dying? Doth ſhe the other kind duties of honeſt matrons? No. But ſhe that had now let him eſcape to go and die, and hoped that he could not linger out his unhappy life much longer, ſhe goeth a quite contrary way into another country in progreſs, and, with her

her fair *Adonis*, ſhe viſiteth noblemen's houſes, and ſtaineth the houſes that harbour'd them with the ſpots of their unchaſtities; and juſt about the time of her husband's death (as ſhe gueſs'd by the ſtrength and working of the poyſon) ſhe returns to *Sterlin*. When the matter wrought not ſo faſt as ſhe expected, (for the ſtrength of his youth had wreſtled with the ſoreneſs of his pain) leſt ſhe ſhould ſeem to have altogether forſaken her duty, ſhe daily prepares to go to *Glaſcow*, but never goeth. At the laſt, diſappointed of the hope that ſhe had conceived in her heart, ſhe taketh herſelf to other devices. She cometh to *Edinburgh*, and there calleth to counſel her adulterer, and a few other, privy of thoſe ſecrets: There they decree, that in any wiſe the King muſt be ſlain. Yet were they not fully adviſed with what kind of death he ſhould be murder'd; which may eaſily be gather'd by her Letter, wherein ſhe partly compareth herſelf to *Medea*, a bloody woman, and a poyſoning witch. Alſo by another of her Letters, wherein ſhe asketh advice about the poyſoning of him. The King, who had already taſted of her lovely cup, doubting whether he were better any more to believe her flattering ſpeeches, or to fear the ſhrewdneſs of her nature, tho' ſometimes he deſpair'd not of her reconciliation, yet was evermore fearful and ſuſpitious. But when he ſaw that neither his life nor his

death

death were in his power, he was conſtrain'd to purſs up his paſt injuries, to diſſemble his preſent fear, and to feign himſelf ſome hopes for time to come. So was he led out, not as a husband, but carried out as a corſe, or rather drawn, as it were, to the ſhambles. The Queen, glorioufly ſhewing herſelf in pompous manner, goeth before in triumph over the young Gentleman, vexed with all kind of miſeries, tormented with poyſon, entrapped with treaſons, and drawn to execution. There follows after the triumphant carr, the antient enemies to his father's houſe, brought thither on purpoſe, that they alſo might feed their eyes with that woful ſpectacle; and, whoſe death, at hand, they look'd for, they might in the mean time take pleaſure of the ſorrow of his heart. And, that no ceremony of ſolemn ſacrifices might be wanting, *John Hamilton*, Archbiſhop of St. *Andrews*, was preſent as their prieſt, a man before defiled with all kind of wickedneſs, pampered with the ſpoils and murders of his countrymen, an old conqueror of many murdering victories. The people all along the way, looking piteouſly, ſhew'd a foretelling of no good luck to come. The Queen's companions could neither tell their ſadneſs, nor hide their gladneſs; when the heinous outrage of the vile fact intended, held their unmeaſurable joy in ſuſpence, upon expectation of the ſucceſs. Thus led they him to

Edinburgh, not into the Queen's palace. Why ſo? Leſt the infection of the peſtilent diſeaſe, forſooth, might hurt her young ſon; as tho' they that be poyſoned were alſo to be ſhunned for fear of infection. But the truer cauſe was this, leſt his preſence ſhould trouble them, in interrupting their free enjoying their pleaſures, and their conſultations about his murder. Whither then is he led? Into the moſt deſolate part of the town, ſometime inhabited, while the popiſh prieſt's kingdom laſted, but for certain years paſt without any dweller; in ſuch a houſe, as of itſelf would have fallen down, if it had not been botched up for the time to ſerve the turn of this night's ſacrifice. Why was this place chiefly choſen? They pretended the wholeſomneſs of the air. O good God! going about to murder her husband, ſeeketh ſhe for a wholeſom air? To what uſe? Not to preſerve his life, but to reſerve his body to torment. Hereto tend her wifely, diligent attendance, and her laſt care of her husband's life. She feareth leſt he ſhould, by preventing death, be deliver'd from pain, ſhe would fain have him feel himſelf die. But let us ſee what manner of wholeſomneſs of air it is. Is it among dead men's graves to ſeek the preſerving of life? For hard by there were the ruines of two churches: On the eaſt-ſide a monaſtry of dominick fryars: On the weſt a church of our Lady; which, for the deſo-

lateneſs of the place, is called *The church in the field:* On the ſouth-ſide the town-wall; and in the ſame, for commodious paſſage every way, is a poſtern-door: On the north-ſide are a few beggars cottages, ready to fall, which ſometime ſerved for ſtews for certain prieſts and monks, the name of which place doth plainly diſcloſe the form and nature thereof, for it is commonly call'd *Thieves Lane.* There is never another houſe near, but the *Hamiltons* houſe, which is about a ſtone's caſt diſtant, and that alſo ſtood void. Thither removeth the Archbiſhop of St. *Andrews*, who always before was uſed to lodge in the moſt populous parts of the town: He alſo watched all that night that the King was ſlain. Now I beſeech you, ſith you cannot with your eyes, yet at leaſt with your minds behold, a houſe lately of old prieſts, among graves, between the ruines of two temples, itſelf alſo ruinous, near to the thieves haunt, and itſelf a receiver of thieves, not far from the fort and garriſon of his enemies, that ſtood right over-againſt the door; by which, if any man ſhould flee out, he could not eſcape their traiterous ambuſhment. The very ſhape of this place, when you conſider it in your mind, when you hear of the ruines of churches, graves of dead men, lurking corners of thieves, brothel-houſes of harlots; doth not, I ſay, not the houſe only, but alſo every part near about it, ſeem to proclaim miſ-

chief and treachery? Seemeth here a King to have gone into a house for lodging, or to be thrust into a den of thieves? Was not that desolate wasteness, that unhabited place, able of itself to put simple men in fear, to make wiser men suspitious, and to give wicked men shrewd occasions? What meant his enemies unwonted repair into those parts, and watching all night, in manner, hard at his gate? Why chose he now this place for his lodging against his former usage? The house, ye will say, was empty, and his brother's house, and near to the King's lodging. It was empty long before; why lodged you never there before? Why forsook you the populous places in the heart of the city, and nearness to the court, and thrust yourself into a desolate corner? What profit, what commodity, what pleasure herein respect you? Was it your meaning, that you, being one that ever had been a greedy coveter of popular fame, and catcher of courtiers with baits of good chear, now would of your own accord go hide yourself in a blind hole out of all company and resort? that you, rather overwhelmed than laden with plenty of benefices, went thither to delight your heart in the ruine of temples? But be it that your coming thither was but by chance, and that you had some causes to go thither, though not true, yet somewhat likely.

WHAT

WHAT meant your unwonted watching all night? What meant the fearful murmuring of your ſervants that night, whom yet in that publick tumult you commanded, not once to ſtir out of doors? But what cauſe had they to go out? Was it to have underſtanding of the matter whereof your ſelf were an author and deviſer? No, for out of your own watch-tower, you heard with your ears the noiſe of the ruin, you ſaw the ſmoak and aſhes with your eyes, you drank up the joy thereof in your heart, and the ſavor of the gun-powder you in a manner ſnuffed up at your noſe. Perhaps you meant to ſend out ſome to receive them that fled; but you ſaw no man flee. And therefore the lights that were ſeen out of the higheſt part of your houſe all the night long; were, as upon the lucky ending of the thing that you looked for, even then ſuddenly put out.

BUT let us return to the King. They thought it not enough to have ſet open the poſtern in the wall, to let in thieves thereat, nor to have ſet an ambuſh before the door, that none ſhould eſcape, but alſo they kept with themſelves the keys of two doors, the one of the lower room, where they had undermined the wall, and filled the holes with gunpowder, and the other of the upper room, that the murderers might come to the King in his bed. Then of thoſe few ſervants that he had, they withdrew the greater number,

being ſuch as were before ſet about him, not ſo much to do him ſervice, as to be ſpies of his ſecrets, and carry news to the Queen. The laſt that was left, one *Alexander Durain*, when he could find no reaſonable excuſe to depart, was thruſt out by the Queen her ſelf. She in the mean time, meaning not to fail in playing her part, while *Bothwel* is in preparing the tragical ſtage for the murder, daily viſiteth the King, his heart paſſioned with love, ſometimes ſhe comforteth with ſweet promiſes, ſometimes ſhe vexeth with brawlings, and ſtill keepeth his wit occupied with ſuſpicions, and rightly repreſenteth in action the poet's fable, wherein is feigned, that *Prometheüs* his liver daily growing to invent new torment, is daily knawn and preyed upon by an Eagle. For after the very ſame manner, ſometimes ſhe cheriſheth and refreſheth the ſilly young Gentleman, to no other end, but that he may have life remaining to ſuffer more ſorrows.

NOw, I beſeech you every one, think with your ſelves upon the freſh doing of the fact, how mens hearts were moved, when even now theſe things cannot be heard reported without indignation. There was provided by the moſt wicked man in the world, by his enemy, by his wife's adulterer, a houſe, in manner ſevered from all concourſe of people, fitter for a ſlaughterhouſe, than for mans dwelling: It is provided for a young Gentle-

man

man, unprovident by youth, eaſie to be trapped in treaſon by love, ſpoiled of his ſervants, forſaken of his friends: A houſe (I ſay) torn, ſolitary, on every ſide, not alſo uncloſe, but open to paſs through, the keys thereof in his enemies cuſtody, no man left within but a young man, not yet recovered of ſickneſs, and an old man feeble by age, and two ſtrangers unacquainted with the places, matter and perſons, no man dwelling near but his enemies and thieves. But as for danger of thieves, the good fore-caſting woman had well provided, for ſhe had left him nothing to allure a thief withal: And as for his enemies, ſhe had appointed them to be but lookers on, and not part-players in this tragedy; but the glory of the fact ſhe reſerved to her ſelf and *Bothwel.*

WHAT in the mean time doth the Queens great carefulneſs? What meaneth her unwonted reſort? What her malicious, and not obſequious diligence? She viſiteth him daily, ſhe prolongeth her talk with him many hours together, two nights ſhe reſteth in a lower chamber under him; (if guilty conſcience of moſt heinous doings can from torments of furies ſuffer that outragious heart to reſt at all.) She feared much, leſt if the lower place of the houſe were left empty, the noiſe of the underminers working, and of the bringers in of the powder, ſhould bring ſome of the ſervants into ſome ſuſpition of treachery. Beſide,

ſide, ſhe had a mind to ſee the thing done her ſelf, rather than to commit it to the truſt of any other. She had a deſire to take a fore-taſt of the joy to come, and when ſhe could not with her ears, yet at leaſt with her heart, to conceive aforehand the fire, the ſmoak, the powder, the crack of the houſe falling, the fearful trouble, the tumult, the confuſed diſmaidneſs of the doers, the thieves, and the people. All things thus prepared for that doleful night, then entreth ſhe into the laſt care of her good fame: She endeavoureth to divert all ſuſpitions from her, ſhe goeth to her huſband, ſhe kiſſeth him, ſhe giveth him a ring for a pledge of her love; ſhe talketh with him more lovingly than ſhe was wont to do, and promiſeth more largely, ſhe feigneth that ſhe had a great care of his health, and yet her companying with her adulterer ſhe ſurceaſeth not.

THEY that more nearly noted theſe things, prognoſticated no good thing to come. For how much greater tokens that the Queen ſhewed of reconciled affection, ſo much the more cruelty did every man in his heart foreconceive of all her intentions. For elſe whence cometh that ſudden change, ſo great care for him, whom ſhe had poiſoned the month before, whom even lately ſhe not only wiſhed dead, but deſired to ſee him die; whoſe death ſhe ſet her brother, yea, both her brethren to procure; and ſhe, like a maſter of miſchief, thruſt forth the King to fight, and herſelf in

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the mean time prepared for his burial? Not paſt a few months before, ſhe her ſelf was deſirous to die, becauſe ſhe loathed to ſee the King alive. Whence cometh now this ſudden care of his health? I looked ſhe ſhould ſay, ſhe was reconciled to him. Were you reconciled to your husband, whom you ſent away into that deſart, that camp of furies, as the Poet calleth it? For whom, among Brothel-houſes of harlots, among beggers cottages, among thieves lurking-holes, you prepared a houſe ſo open to paſs through, that you left therein more entries than men to ſhut them? You that allured and aſſembled Ruffins to his ſlaughter, and thieves to his ſpoil? You that drove away his ſervants that ſhould have defended his life? You that thruſt him out naked, alone, unarmed, among thieves, in danger to be ſlain? When in all this miſerable ſtate of your husband, your adulterer in the mean time dwelt in your palace, daily haunted your Chamber, day and night all doors were open for him, whilſt your poor husband, debarred all company of the nobility, his ſervants forbidden to come at at him, or ſent away from him, was forſaken and thruſt away into a ſolitary deſart, for a mocking ſtock, and I would to God, it had been for a mocking ſtock only? Of his other ſervants I enquire not. I do not curiouſly queſtion why they went away, why they then eſpecially forſook the King, when he chiefly need-

needed their help and ſervice, when he was newly recovered? When he began to go abroad, and had no other company. Of *Alexander Duram* I cannot keep ſilence, whom you had for his keeper, and your ſpy. What was there for him to eſpy? Was there any thing for him to bring news of to an honeſt Matron, loving to her Husband, faithful in wedlock, and fearful of a partner of his love? Feared ſhe leſt he, a young Gentleman, beautiful, and a King, ſhould caſt wanton eyes upon ſome other woman in her abſence? No; God wot. For that was it that ſhe moſt deſired. For ſhe herſelf had practiſed to allure him thereto before, ſhe herſelf had offered him the occaſions, and of herſelf ſhewed him the means. This was it that moſt grieved her, while ſhe was ſeeking cauſes of divorce, that ſhe could not find in him ſo much as any ſlender ſuſpition of adultery. Why then were ſpies ſet about him to watch him? Was it not that none of the Nobility, none of his ſervants, nor any ſtranger at all ſhould come at him, that no man ſhould ſpeak with him, that might diſcloſe the treaſon, and forewarn him of his danger? This ſame very *Alexander*, how carefully ſhe ſaveth, when ſhe goeth about to kill her husband? How late ſhe ſendeth him away, when the reſt were gone, even at the very point of her husband's death, when ſhe had now no more need of eſpials? For the day before the murder was committed,

there

there was none of the miniſters that were privy to her ſecret counſels left behind, but only *Alexander*. He, when he ſaw that night, no leſs doleful than ſhameful, to approach, prepareth, as himſelf thought, a fine ſubtle excuſe to be abſent, ſo as rather chance might ſeem to have driven him out, then he himſelf willing to have forſaken his Maſter. He putteth fire in his own bed-ſtraw, and when the flame ſpread further, he made an out-cry, and threw his bedding, half ſinged, out of the King's chamber. But the next day, when that excuſe ſerved not ſo handſomly as he deſired, for that in the Queen's hearing, the King very ſweetly entreated him not to leave him alone that night, and alſo deſired him to lie with himſelf, as he had often uſed to do, for the King entirely loved him above all the reſt; *Alexander* in perplexity, wanting what to anſwer, added to his firſt excuſe, fear of ſickneſs, and pretended, that for commodious taking of Phyſick for his health, he would lie in the town. When this would not yet ſerve him, the Queen added authority, and told the King, That he did not well to keep the young man with him againſt the order of his health, and therewithal ſhe turned to *Alexander*, and bade him go where was beſt for him: And forthwith, as ſoon as the word was ſpoken, he went his way. I will not here preciſely trace out all the footings of theſe wicked doings; neither

neither will I curiouſly enquire, whether that former days fire were happened by caſualty, or kindled by fraud. Neither will I ask why he that had ſo often been received to lie in the King's own bed, doth now this only night ſpecially refuſe it. Let us ſuppoſe that ſickneſs was the cauſe thereof. This only one thing I ask, what kind of ſickneſs it was, that came upon him at that very inſtant, and before morning left him again, without any Phyſicians help, and whereof neither before, nor ſince, nor at that preſent, there ever appeared any token? But I truſt, though he hold his peace, ye all ſufficiently underſtand it. In the man guilty in conſcience of the miſchievous intention, fear of death overcame regard of duty. Had it not been that *Alexander*, before-time a ſpy and tale-bearer, now a forſaker and betrayer of his Maſter, was joyned to her in privity of all theſe wicked doings, would not the Queen, ſo cruel in all the reſt, have found in her heart to beſtow that one ſacrifice upon her husbands funerals? While theſe things were in doing, the night was far paſt, and my Lady *Rereſe*, a luſty valiant ſouldiereſs, before ſign given, cometh forth into the field out of array, abroad ſhe goeth, getteth her to horſe-back, and though ſhe were ſomewhat afraid, as one that foreknew the ſtorm to come, yet ſhe ſate ſtill upon her horſe, tarrying for the Queen, but yet a good pretty way from the houſe. In the mean time *Paris*

cometh.

cometh. Then the communication brake, and they roſe to depart. For, by and by, upon ſight of him came to her remembrance that heinous offence, that without great propitiation could not be purged; forſooth, that the Queen had not danced at the wedding-feaſt of *Sebaſtian* the minſtrel and vile jeaſter, that ſhe ſate by her husband, who had not yet fully recovered his health, that at the banquet of her domeſtical Paraſite, ſhe had not played the dancing skit. A matter ſurely worthy of excuſe. But what ſhould ſhe elſe do? She muſt needs go, as ſoon as ſhe ſaw *Paris*; for ſo it was agreed, and ſomewhat muſt needs be pretended. How happened it that the other nights before, when ſhe went away earlier, ſhe made no excuſe at all, and now her departure about midnight muſt needs have an excuſe alledged? But be it ſo, could ſhe remember no better excuſe than *Sebaſtian's* wedding? No, no, I ſay to the contrary, that if ſhe had left the wedding of her own natural brother, or her ſiſter, to viſit her husband, though but a little craſed, ſhe had had a juſt excuſe before all men ſo to do. What, if ſhe had done the ſame kindneſs for the King, being not her husband, or for any other of the Nobility? Is *Sebaſtian's* wedding of ſuch a value, that a masking dance thereat is to be preferred before a wife's duty and love? But ſurely in this curious excuſing and pretended ſorrow of neglected duty, ſome-

what

what lieth hidden, and yet not ſo hidden, but that it appeareth through the cloſure.

THIS overmuch preciſeneſs of diligence, excuſing where no need is, hath ſome ſuſpicion of ſome ſecret miſchief that you are loath to have diſcloſed, and the ſlightneſs of the excuſe, encreaſeth the ſuſpicion, eſpecially when there were other matters enough that ſhe might better have alledged: But let us admit the excuſe, ſince the Queen herſelf hath thought it reaſonable; Whither then goeth ſhe? ſtraight into her chamber. What doth ſhe next? wearied with the day's travel, and the night's watching, goeth ſhe to bed? No; but ſhe falleth to talking with *Bothwel*, firſt almoſt alone, and afterward alone altogether. What talk ſhe had, the matter itſelf declareth: For *Bothwel*, after that he had put off his cloaths, as if he would have gone to bed, by and by putteth on other apparel. Going to do the deed, he would not be known. I like well the man's policy. But his way was to go through the watch. Here I marvel at his madneſs. But men's wits beſet with guiltineſs of miſchiefs, do commonly bewray themſelves by their own inconſtancy, and blind to all other things, do ſee only that which they have bent their mind unto. What he did, the King's death, his own running away, the confeſſions of the guilty perſons, and other things that follow'd the murder,

der, do declare. After the great uproar in the town about it, he, as one utterly ignorant of all, returneth through the ſame watch to bed. When noiſe of the ruine had filled all men's ears, and the crack of it had ſhaken all the houſes, only the Queen intentive to expectation of the chance, and broad awake, heareth nothing at all, and *Bothwel* heareth nothing. O marvellous deafneſs! All other throughout the town, as many as were awake were afraid, and as many as ſlept were awaked. At the laſt *Bothwel* riſeth again, and in the ſelf-ſame enterlude, by ſuddenly ſhifting from the poet, becometh a meſſenger, he runneth to the Queen, and thither reſorted many others alſo that lodged in the palace. To ſome the matter ſeemed true, to ſome feigned, to ſome marvellous. What doth the Queen the whilſt? What ſhould ſhe do? She temperately broodeth good luck, ſhe reſteth ſweetly till the next day at noon: Yet, the day following, to obſerve decorum, and comely convenience in her part, without marring the play, ſhe counterfeiteth a mourning; which yet neither her joyfulneſs dwelling withal in heart ſuffereth long to be feigned, nor ſhame permitted to be wholly neglected. Theſe things thus lying open before your eyes, thus palpable with hands, thus faſt imprinted in mens ears and knowledge, ſtand we yet enquiring for the author

of

of the murder, as though it were doubtful? But, ye ſay, the Queen denieth it. What denieth ſhe? forſooth, that ſhe did the murder: As though there were ſo great a difference, if one ſhould be the author, or the executioner; yet he commands it, and commits it: She gave her counſel, her furtherance, her power and authority to the doing of it. Neither is the cauſe unknown why ſhe did it; even that the ſame filthy marriage with *Bothwel* might be accompliſhed. Though all which arguments, and ſo many witneſſes, of them that were privy to it, failed; yet by her own teſtimony, by her own letters, it muſt needs be confeſſed. And though all other things wanted, theſe things that followed the murder do plainly declare the doer, namely, that at the ſlaughter of her husband ſhe ſorrowed not, but quietly reſted, as after a gay enterprize well atchieved; that ſhe mourned not, but in manner openly joyed; that ſhe could abide, not only to look upon his dead body, but alſo greedily beheld it; that ſhe ſecretly in the night buried him without funeral pomp, or rather hid him like a thief: for that ſame ſo inconſtant counterfeiting or mourning did plainly bewray itſelf. For what meant that removing to *Aetons?* Why ſhunned ſhe the town's reſort, and people's eyes? Was it becauſe ſhe was aſhamed to mourn openly? or becauſe ſhe could not well cloak her joy?

or

or ſecretly to give herſelf all to ſorrow? No, for at *Setons* ſhe threw away all her diſguiſed perſonage of mourning; ſhe went daily into the fields among ruffians; and not only reſorted to her former cuſtom, but alſo affected to exerciſe manly paſtimes, and that among men, and openly. So lightly ſhe deſpiſed the opinion and ſpeech of her country. But I beſhrew that ſame *Killegree*, and that ſame Monſieur *de Croc*, that came upon her ſo unſeaſonably, and ſhewed to others her counterfeited perſon unvizzored. For had not they been, many things that were done might have been denied, many things might have been handſomly feigned, and much of the matter might have been helped by forged rumours.

BUT they will ſay, there was a ſolemn enquiry for the murder. Forſooth, by *Bothwel* himſelf principally, and by ſome other that then laboured, and yet at this day do labour to deliver the perſons guilty thereof, from puniſhment of law, and do now plainly ſhew what they then ſecretly meant. But with what diligence, with what upright ſeverity was that enquiry handled? A few poor ſouls, the next dwelling neighbours to the King's lodging, being call'd, neither durſt tell what they had ſeen and heard, and if they touched any thing near the matter, either they were with fear put to ſilence, or deſpiſed as of no credit; the wiſer ſort of

them durſt not offend *Bothwel;* that ſate among the judges. One or two of the King's ſervants, that eſcaped the miſchance, were examined which way the murderers came in. Forſooth, ſay they, we had not the keys. Who then had them? It was anſwered, that the Queen had them. So began the ſecrets of the Court to break out. Then was that enquiry adjourned, and never recontinued. What can be more ſevere and upright than this enquiry? and yet they prevailed nothing by it: For what the examiners would have had kept ſecret, That the people cried out openly; that which they ſuppreſſed, burſt forth; and that which they cloaked in ſecret, it breaketh out into broad light. But there was a proclamation ſet forth, with pardon of the fact, and promiſe of reward to him that would utter it? Why? who had been ſo mad, that he durſt, in ſo manifeſt peril of his life, bear witneſs, or give information againſt the judges themſelves, in whoſe power lay his life and death? It was likely, forſooth, that they which had murdered a King, would ſpare him that ſhould diſcloſe the murderer, eſpecially when all men ſaw that the enquiry of the King's ſlaughter was quite omitted, and the other enquiry ſeverely purſued concerning books accuſing the ſlaughter. What manner of judgment it was whereby *Bothwel* was acquitted, you have heard. Forſooth by himſelf

ſelf procured, the judges by himſelf choſen, the accuſers by himſelf ſuborned, lawful accuſers forbidden to be preſent, unleſs they would yield their throats to their enemies weapons; the aſſizes appointed neither to a day, according to the law of the land, nor after the manner of the country; nor to enquire of the murder of the King, but of ſuch a murder as was alledged to be committed the day before that the King was ſlain. Here, when *Bothwel* by his friendſhip and power, and the Queen by prayer and threatning travailing with the judges, do you now expect what ſentence men, choſen againſt law, and againſt the cuſtom of the land, have pronounced? In their judgment, they touched the matter nothing at all; only this they have declared, that it was no lawful judgment, in this, that with a ſpecial proteſtation they provided, that it ſhould not be prejudicial to them in time to come. Then, that all men might underſtand what it was that they ſought by ſword, fire and poyſon, they jumble up marriages; one is divorced, another is coupled, and that in ſuch poſting ſpeed, as they might ſcant have haſted to furniſh a triumph of ſome noble victory. Yet, that in theſe unlawful weddings ſome ſhew of lawful order might be obſerved, the goodly banes were openly proclaimed. For publiſhing whereof, though the miniſter of the church was threatned

with death if he did it not, yet, at the time of his publiſhing, himſelf openly proteſted, that he knew cauſe of exception, why that marriage was not lawful. But in ſuch a multitude aſſembled, how few were they that knew it not? ſith all could well remember that *Bothwel* had then alive two wives already not yet divorced, and the third neither lawfully married, nor orderly divorced. But that was not it that was intended, to obſerve the ceremonies of lawful order; but (as they do uſe in Enterludes) they provided a certain ſhew, or diſguiſed counterfeiting of common uſage. For he that hath oft broken all humane laws, and hath caſt away all conſcience and religion, could eaſily neglect the courſe of God's law.

Now, I ſuppoſe, I have briefly declared (in reſpect of the greatneſs of the matter) and yet perhaps in more words than needed (the plainneſs of the proofs conſidered) of what purpoſe, by what counſel, and upon what hope, that heinous murder was attempted, with what cruelty it was executed, by what tokens, advertiſements, teſtimonies, and letters of the Queen herſelf, the whole matter is proved, and ſo plainly proved, that it may be as openly ſeen, as if it lay before your eyes; yet will I ſhew forth the teſtimony of the whole people, which I think worthy not to be neglected: For ſeveral men do commonly deceive, and are deceived by others,

others, but no man deceiveth all men, nor is deceived by all. This teſtimony of the people is this. When at the Queens going abroad among the people, the greateſt part of the commons were wont to make acclamations, wiſhing her well and happily, with ſuch ſpeeches as either love enforceth, or flattery inventeth: Now at her going after the King's ſlaughter to the caſtle, through the chief and moſt populous ſtreet of the town, there was all the way a ſad glooming ſilence. And when any woman alone of the multitude had cryed, *God ſave the Queen*, another by and by ſo cryed out, as all men might hear her; *So be it to every one as they have deſerved.*

ALBEIT theſe things were thus done as I have declared, yet there are ſome that ſtick not to ſay that the Queen was not only hardly, but alſo cruelly dealt with, that after ſo deteſtable a fact, ſhe was removed from her regency; and when they could not deny the fact they complained of the puniſhment. I do not think there will be any man ſo ſhameleſs to think that ſo horrible a fact ought to have no puniſhment at all. But if they complain of the grievouſneſs of the penalty, I fear leaſt, to all good men, we may ſeem not to have done ſo gently and temperately, as looſly and negligently, that have laid ſo light a penalty upon an offence ſo heinous, and ſuch as was never heard of before. For what can be done cruelly againſt the author of ſo outragious a deed, wherein all laws of

God and man are violated, deſpiſed, and in a manner wholly extinguiſhed? Every ſeveral offence hath his puniſhment both by God and man appointed: And as there be certain degrees of evil deeds, ſo are there alſo encreaſes in the quantities of puniſhments. If one have killed a man, it is a deed of it ſelf very heinous. What if he have killed his familiar friend? What if his father? What if in one foul fact he hath joyned all theſe offences together? Surely of ſuch a one, neither can his life ſuffice for impoſing, nor his body for bearing, nor the Judges policy for inventing pain enough for him. Which of theſe faults is not compriſed in this offence? I omit the mean common matters, the murdering of a young Gentleman, an innocent, her countryman, her kinſman, her familiar, and her Couſin german. Let us alſo excuſe the fact, if it be poſſible. She unadviſedly, a young woman, angry, offended, and one of great innocency of life till this time, hath ſlain a lewd young man, and adulterer, and unkind huſband, and a cruel King.

If not any one, but all theſe reſpects together, were in this matter, they ought not to avail to ſhift off all puniſhment, but to raiſe ſome pity of the caſe. But what ſay you that none of theſe things can ſo much as be falſly pretended? The fact it ſelf, of it ſelf is odious: In a woman, it is monſtrous: In a wife not only exceſſively loved, but alſo moſt

moſt zealouſly honoured, it is uncredible? And being committed againſt him whoſe age craved pardon, whoſe hearty affection required love, whoſe nighneſs of kindred asked reverence, whoſe innocency might have deſerved favour, upon that young man I ſay, in whom there is not ſo much as alledged any juſt cauſe of offence, thus to execute and ſpend, yea, to exceed all torments due to all offences, in what degree of cruelty ſhall we account it? But let theſe things avail in other perſons to raiſe hatred, to bring puniſhment, and to make examples to poſterity. But in this caſe let us bear much with her youth, much with her Nobility, much with the name of a Princeſs. As for mine own part, I am not one that thinks it always good to uſe extream ſtrictneſs of law, no not in private, mean, and common perſons. But in a moſt heinous miſdeed, to diſſolve all force of law, and where is no meaſure of ill doing, there to deſcend beneath all meaſure in puniſhing, were the way to the undoing of all laws, and the overthrow of all humane ſociety. But in this one horrible act is ſuch a hotchpotch of all abominable doings, ſuch an eagerneſs of all outragious cruelties, ſuch a forgetfulneſs of all natural affection, as nothing more can be feigned or imagined. I omit all former matters.

I will not curiouſly enquire upon Prince's doings, I will not weigh them by the com-

mon beam, I will not reſtrain them to common degrees of duties. If there be any thing that without great offence may be paſſed over, I will gladly leave it unſpoken of; if there be any thing that may receive excuſe, either by reſpect of age, or of woman kind, yea or of unadviſedneſs, I will not urge it. And to paſs over all the reſt, two heinous offences there be, that neither according to their greatneſs be fully expreſſed, nor according to their outrage be ſufficiently puniſhed, I mean the violating of matrimony, and of royal Majeſty. For matrimony, (as the Apoſtle ſaith) doth truly contain a great miſtery. For, as being obſerved, it compriſeth within it all inferiour kinds of duties, ſo being broken, it overthroweth them all. Whoſo hath miſuſed his father, ſeemeth to caſt out of his heart all natural reverence, but for the husbands ſake *one ſhall love both Father and Mother.* Of all other duties, the degrees, or like obſervances, either are not at all in brute creatures, or not ſo plain to be diſcerned: But of matrimonial love, there is almoſt no living creature that hath not ſome feeling. This miſtery therefore whoſo not only violateth, but alſo deſpiſeth, he doth not only overthrow all the foundations of human fellowſhip; but, as much as in him lyeth, diſſolveth and confoundeth all order of nature. Whoſoever (I do not ſay) hurteth the King, that is the true Image of God in earth, but

ſlayeth

ſlayeth him with ſtrange and unwonted ſort of cruelty, ſo as the untemperate and uncredible outragiouſneſs is not contented with ſimple torment, ſeemeth he not, as much as in him lieth, to have a deſire to pull God out of Heaven? What refuge have they then left themſelves to mercy, that in ſatisfying their luſt of unjuſt hatred, have exceeded, not only all meaſure of cruelty, but alſo all likelihood, that it can be credible.

BUT they will ſay, we ought to bear with, and ſpare her nobility, dignity and age. Be it ſo, if ſhe have ſpared him in whom all theſe reſpects were greater, or at leaſt equal. Let the Majeſty of royal name avail her. How much it ought to avail to her preſerving, her ſelf hath ſhewed the example. May we commit our ſafety to her, who a ſiſter, hath butcherly ſlaughtered her brother, a wife her husband, a Queen her King? May we commit our ſafety to her, whom never ſhame reſtrained from unchaſtity, woman-kind from cruelty, nor religion from impiety? Shall we bear with her age, ſex and unadviſedneſs, that without all juſt cauſes of hatred, deſpiſed all theſe things in her kinſman, her King, her husband? She that hath ſought ſuch execution of her wrongful wrath, what ſhall we think ſhe will do being provoked by reproaches to men not knit to her by kindred, ſubject to her pleaſure, not matched with her in equal fellowſhip of life, but yeilded to her governance,

nance, and enthralled to her tormenting cruelty? When rage for interrupting her pleaſure, and out-rage of nature, ſtrengthned with armour of licentious power, ſhall ragingly triumph upon the goods and blood of poor ſubjects? What is then the fault whereof we are accuſed, what cruelties have we ſhewed? That a woman raging without meaſure and modeſty, and abuſing to all her Subjects deſtruction, the force of her power, that ſhe had received for their ſafety, we have kept under governance of her kinſmen and well-willing friends: And whom by right, we might for her heinous deeds have executed, her we have touched with no other puniſhment, but only reſtrained her from doing more miſchief. For we deprived her not of Liberty, but of unbridled licentiouſneſs of evil doing. Wherein we more fear among all good men, the blame of too much lenity, than among evil men the ſlander of cruelty.

THESE were the cauſes that moved the Queen to this matter. *Bothwel* alſo had his reaſons, which not a little troubled his mind. For when that ſame infamous acquital, rather encreaſed, than abated the ſuſpition, and the matter could not be alway kept cloſe, he fleeth to his laſt refuge, to obtain of the Queen a pardon of all his offences. But when by the law of the land in ſuch Charters of pardon, the greateſt offence muſt be expreſly mentioned, and the reſt it ſufficed to include in general

neral words, and expreſly to confeſs, the murder of the King ſeemed to ſtand neither with his honour, nor with his ſafety: He was driven of neceſſity either to invent or commit ſome other crime, either more grievous, or at the leaſt as heinous, under which the ſlaughter of the King might lurk in ſhadow of general words unexpreſſed. They could deviſe none other but the ſame counterfeit ravi'hment of the Queen, whereby both the Queen provided for enjoying her pleaſure, and *Bothwel*, for his ſafety.

MEmorandum, that in the Caſtle of *Edinburgh*, there was left by the Earl *Bothwel*, before his fleeing away, and was ſent for by one *George Engliſh* his ſervant, who was taken by the Earl *Moreton*, one ſmall gilt Coffer, not fully a foot long, being garniſhed in ſundry places with the *Roman* letter *F.* under a King's Crown, wherein were certain letters and writings well known, and by oaths to be affirmed, to have been written with the Queen of *Scot*'s own hand to the Earl *Bothwel*.

Beſide thoſe writings, there was alſo extant a writing written in *Roman* hand in *French*, to be avowed to be written by the ſaid Queen of *Scots* herſelf, being a promiſe of Marriage to the ſaid *Bothwel*: Which writing being without date, and though ſome words therein ſeem to the contrary, yet is upon credible grounds

grounds ſuppoſed to have been made and written by her before the death of her Huſband, the tenor whereof thus beginneth.

Nous Marie *par le grace de Dieu*, &c.

We *Mary* by the grace of God, *&c.*

THERE is alſo another writing in Scottiſh, avowed to be wholly written by the Earl *Huntley*, dated the fifth of *April*, 1567. containing a form of contract of marriage betwixt the ſaid Queen and Earl *Bothwel*, ſubſcribed *Mary*, which is to be avowed to be the proper hand of the ſaid Queen; and underneath it, *James* Earl *Bothwel*, which alſo is to be avowed to be the proper hand of the Earl *Bothwel*, at which time he was commonly defamed of the King's ſlaughter, and not cleanſed or acquit thereof before the thirteenth of *April* following. The tenor of which contract here enſueth.

AT *Seyton*, the fifth day of *April*, in the year of God, 1567. The right excellent, right high and mighty Princeſs *Mary*, by the grace of God Queen of *Scots*, conſidering the place and eſtate wherein Almighty God hath conſtituted her Highneſs, and how by the deceaſe of the King her husband, her Majeſty is now deſtitute of a husband, living ſolitary in the ſtate of widowhood. In the which kind of life her Majeſty moſt willingly would con-

continue, if the will of her realm, and ſubjects would permit it. But on the other part, conſidering the inconveniencies may follow, and the neceſſity which the Realm hath, that her Majeſty be coupled with an husband, her Highneſs hath an inclination to marry. And ſeeing what incommodity may come to this realm, in caſe her Majeſty ſhould join in marriage with any foreign Prince of a ſtrange Nation, her Highneſs has thought rather to yield unto one of her own ſubjects. Amongſt whom, her Majeſty finds none more able, nor endued with better qualities than the right noble, and her dear Couſin *James*, Earl *Bothwel*, &c. Of whoſe thankful and true ſervice, her Highneſs in all times by-paſt has had large proof, and infallible experience. And ſeeing not only the ſame good mind conſtantly perſevering in him, but with that an inward affection, and hearty love towards her Majeſty, her Highneſs amongſt the reſt, hath made her choice of him. And therefore in the preſence of the eternal God faithfully, and in the word of a Prince, by theſe preſents takes the ſaid *James* Earl *Bothwel* as her lawful husband. And promiſes and obliges her Highneſs, that as ſoon as the Proceſs of divorce intended betwixt the ſaid Earl *Bothwel* and Dame *Jane Gordon*, now his pretended Spouſe, be ended by the order of the laws, her Majeſty ſhall God willing thereafter ſhortly marry, and take the ſaid Earl to her

her husband, and compleat the band of Matrimony with him in the face of holy Church.

Item, *To the Duke of* Norfolk, *&c.*

And ſhall never marry *any other husband* but him only during his life-time. And as her Majeſty of her gracious humanity, and proper motive, without deſerving of the ſaid Earl, hath thus inclined her favour and affection towards him, he humbly, and reverently acknowledging the ſame, according to his bounden duty, and being as free and able to make promiſe of marriage, in reſpect of the ſaid Proceſs of divorce intended for divers reaſonable cauſes, and that his ſaid pretended Spouſe hath thereunto conſented, he preſently takes her Majeſty as his lawful Spouſe, in the preſence of God. And promiſes and obligeth him, as he will anſwer to God, and upon his fidelity and honour, that in all diligence poſſible, he ſhall proſecute and ſet forward the ſaid Proceſs of divorce already began and intended betwixt him and the ſaid Dame *Jane Gordon* his pretended Spouſe, unto the final end of a Decree and Declaration therein. And incontinent thereafter, at her Majeſties good will and pleaſure, and when her highneſs thinks convenient ſhall compleat and ſolemnize in face of holy Church, the ſaid band of Matrimony with her Majeſty, and love, honour, and ſerve her Highneſs, according to the place and honour that it have pleaſed her Majeſty to accept him unto, and never

never to have any other to his wife during her Majeſty's life time. In faith and witneſſing whereof, her Highneſs and the ſaid Earl hath ſubſcribed this preſent faithful promiſe, with their hands; as followeth, day, year, and place aforeſaid, before theſe witneſſes; *George* Earl *Huntly*, and Maſter *Thomas Hepburn*, Parſon of *Old Hanſtock*, &c.

Sic ſubſcribitur; MARY R.
James *Earl* Bothwel.

HERE note, that this contract was made the 5th of *April*, within eight weeks after the murder of the King, which was ſlain the 10th of *February* before. Alſo it was made ſeven days before that *Bothwel* was acquitted by corrupt judgment of the ſaid murder.

ALSO it appeareth by the words of the contract itſelf, that it was made before ſentence of divorce between *Bothwel* and his former wife: And alſo, in very truth, was made before any ſuit of divorce intended or begun between him and his former wife, though ſome words in this contract ſeem to ſay otherwiſe. Which is thus proved. For this contract is dated the 5th of *April*; and it plainly appeareth by the judicial acts before the two ſeveral eccleſiaſtical ordinary judges, wherein is contained the whole proceſs of the divorce between the ſaid Earl and Dame *Jane Gourdon* his wife, that one

of

of the ſame proceſſes was intended and begun the 26th day of *April*, and the other the 27th day.

ALSO there are extant the Records of the Juſtices Court holden at *Edinburgh* the ſaid 12th day of *April*, ſome copies whereof have been exemplified and ſigned with the hand of *John Bellenden* Clerk of the Court, among which is the indictment of *Bothwel*. The tenor of which Records, with the aſſize and verdict, do here follow:

CUria juſticiariæ S. D. N. *Reginæ, tenta & inchoata in prætorio de* Edinburgh *duodecimo die menſis* Aprilis, *Anno* 1567. *per nobilem & potentem Dominum Archibaldum Comitem* Ergadiæ, *Dominum* Campbel & Lorne *juſticiarium generalem ejuſdem* S. D. N. *Reginæ, totius Regni ſui ubilibet conſtitutum ſen. vocatum, & curia legitimè affirmata.*

IN

IN the which Court appeared perſonally in judgment Mr. *John Spens* of *Condie*, and *Robert Creycghton* of *Chock*, advocates to our Sovereign Lady, in her name; and there the ſaid Mr. *John Spens* produced our Sovereign Lady's letter execute and indorſed, together with the indictment: Of the which letters, indorſing thereof, and indictment, the tenors hereafter follow, that is to ſay,

MARY, *by the Grace of God, Queen of* Scots, *to our truſty and well-beloved* William Purwes, *Mr.* Lawſon, *and* Gawine Ramſey, *Meſſengers, our Sheriffs in that part conjunctly and ſeverally ſpecially conſtituted, greeting. Foraſmuch as it is humbly meant and ſhewed to us, by our truſty and beloved Clerks and Counſellors, Mr.* John Spens *of* Condie, *and* Robert Creycghton *of* Chock, *our Advocates: That whereas they are informed that our truſty Couſin and Counſellor* Matthew *Earl of* Lenox, *Father to the King our deareſt Spouſe, hath delated* James *Earl* Bothwel, *Lord* Halis *and* Creycghton, *&c. and certain others of the treaſonable, cruel, odious, and abominable ſlaughter and murder of his grace, committed upon the ninth day of* February *laſt paſt, under ſilence of the night, within his lodging, for the time, within our Bour of* Edinburgh, *near the Church in the field, upon proviſion, ſet-purpoſe, and fore-thought fello-*

ny. And hath declared unto us the ſuſpicion had of the ſaid Earl and others, as committers of the ſaid odious, cruel and abominable deed. Whereto we being moſt earneſtly bent, minded, and willing to have trial taken therein, by order of juſtice, with all diligence and expedition poſſible, have, with advice of the Lords of our ſecret counſel, and alſo of the humble deſire of the ſaid Earl Bothwel, *made in our and their preſence, who offereth himſelf willing to undergo the trial of a condign Aſſize, according to the Laws of our Realm for declaring of this part, have ordained a Court of Juſtice, to be ſet and holden in the Tolebooth of* Edinburgh, *the* 12*th day of* April *next enſuing, for executing of juſtice upon the ſaid Earl, and otherwiſe, for the cruel, odious, foul, and abominable crime and offence; as is more at large contained in an Act made in the books of our ſecret counſel thereupon.*

Our will therefore is, and we charge you ſtrictly, and command, that immediately at the ſight of theſe our letters, ye go, and in our name and authority, warn the ſaid Matthew *Earl of* Lennox, *perſonally, or at his dwelling place, and all other our liege people having or pretending to have intereſt in the ſaid matter, by open Proclamation at the Market-croſſes of our Boroughs of* Edinburgh, Dunbarton, Glaſcow, Lanerk,

and

and other places needful, to appear before our Juſtice, or his Deputies, in our Tolebooth of Edinburgh, *the ſaid* 12*th day of* April *next enſuing, to purſue and concur with us in the ſaid action: With certification to them, that if they fail, that our Juſtice, or his Deputies, will proceed and do Juſtice in the ſaid matter the ſaid day, conformable to the Laws and Conſtitutions of our Realm, without any longer delay or continuation: And that ye ſummon an Aſſize to this end, every perſon under the pain of forty pounds, as ye will anſwer to us thereupon. The which to do, we commit to you, joyntly and ſeverally, our full power by theſe our letters, delivering them by you duly to be executed, and indorſed again to the bearer.*

Given under our ſignet at Edinburgh, *the* 27*th of* March, *in the* 25*th year of our Reign,* 1567.

Ex deliberatione Dominorum conſilii Reg.

Sic ſubſcribitur, MARY.

Indorſements of the ſaid Letters.

UPON the 29th day of *March,* in the year of God 1567. I *William Purwes,* Meſſenger, one of the Sheriffs in that part within conſtituted, paſt at command of

theſe our Sovereign Lady's letters, and in her Grace's name and authority, warned *Matthew* Earl of *Lennox*, and all other her Majeſty's lieges, having or pretending to have intereſt in the matter within ſpecified, by open proclamation at the Market-croſs of the Borough of *Edinburgh*, to appear before the Juſtice, or his Deputies, in the Tolbooth of *Edinburgh*, the 12th day of *April* next enſuing, to purſue and concur with our ſaid Sovereign Lady in the action within mentioned, with certification as is within expreſſed, after the form and tenor of theſe letters, whereof I affixed one copy upon the ſaid Market-croſs.' This I did before theſe witneſſes, *John Anderſon* and *David Lant*, with divers others. And for more witneſſing to this my execution and indorſement, my ſignet is affixed.

UPON the laſt day of *March*, the firſt and ſecond days of *April*, in the year of God above written, I *Gowine Ramſy*, Meſſenger, one of the Sheriffs, in that part within conſtituted, paſt at commandment of theſe our Sovereign Lady's letters, and in her Grace's name and authority, warned the ſaid *Matthew* Earl of *Lennox*, at his dwelling places in *Glaſcow* and *Dunbertane* reſpectively, becauſe I ſearched, and ſought, and could not apprehend him perſonally, and all other her Majeſty's lieges, having

and

and pretending to have intereſt to purſue in the matter herein expreſſed, by proclamation at the Market-croſſes of the Boroughs of *Glaſcow*, *Dumbertane* and *Lanerk*, for to appear before the Juſtice, or his Deputies, in the ſaid Tole-booth of *Edinburgh*, the ſaid 12th day of *April* next to come, to purſue and concur with our ſaid Sovereign Lady in the action within written, with certification, as is within mentioned, after the form and tenor of theſe Letters, whereof affixed one copy upon every one of the ſaid Market-croſſes. This I did before theſe witneſſes, *George Herbeſoun*, *Nicholas Andro*, *Robert Letrik*, Meſſengers; *William Smollet*, *David Robertſon*, *James Smollet*, *John Hamilton*, *James Bannatine*, and *Robert Hamilton*, with divers others. And for more witneſſing hereof my ſignet is affixed; ſubſcribed with my hand,

Gawin Ramſy, Meſſenger.

UPON the firſt day of *April*, the year of God 1567. I *William Lawſon*, Meſſenger, Sheriff in that part within conſtituted, paſt at command of theſe our Sovereign Lady's letters, to the Market-croſs of *Perth*, and there, by open proclamation, lawfully warned *Matthew* Earl of *Lennox*, and all others our Sovereign Lady's lieges, having

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or pretending to have intereſs to purſue *James* Earl *Bothwel*, Lord *Hailes*, and *Creycghton*, &c. And certain others, for the cruel ſlaughter and murder of the King's grace, and affixed one Copy upon the ſaid Croſſes, after the form and tenour of theſe Letters. And this I did before theſe witneſſes, *James Marſchel*, *Alex. Borthuike*, and *John Anderſon*, Meſſengers, with divers others. And for the more witneſſing of this my execution and indorſement, I have ſubſcribed this with my hand.

Will. Lawſon, Meſſenger.

The Indictment.

JAMES *Earl* Bothwel, *Lord* Halis, *and* Creycghton, *&c. You are indicted for acting part of the cruel, odious, treaſonable, and abominable ſlaughter and murder of the late, the right excellent, right high and mighty Prince, the King's grace, deareſt ſpouſe, for the time, to our Sovereign Lady the Queen's Majeſty, under ſilence of night, in his own lodging, beſides the Church in the field within this burrow, he being taking the nights reſt, treaſonably raiſing fire within the ſame, with a great quantity of Powder. Through force of the which, the ſaid whole lodging was raiſed, and blown in the air. And the ſaid late King was murthered treaſonably and moſt cruelly ſlain and deſtroyed by you*

you therein upon ſet purpoſe, proviſion, and fore-thought felony. And this you did upon the ninth day of February *laſt paſt, under ſilence of the night, as above ſaid. As is notoriouſly known, the which you cannot deny.*

UPON the which production of the foreſaid Letters executed, indorſed an indicted, the ſaid advocate asked an act of Court and inſtruments, and deſired of the Juſtice proceſs agreeable thereto.

THE ſaid letters being openly read in Judgment with the indorſements thereof, the Juſtice by virtue of the ſame, cauſed to be called the ſaid *James* Earl *Bothwel*, as Defendant on the one part, and *Matthew* Earl of *Lenox*, and all others our Sovereign Ladies liege people, having or pretending to purſue in the ſaid matter, to appear before him in this Court of Juſtice, to purſue and defend according to the law.

IMMEDIATELY after there appeared in Judgment, the ſaid *James* Earl *Bothwel*, and entered perſonally, and then made choice of Mr. *David Borthuick* of *Lutchthil*, and Mr. *Edmund Hay* to be prolocutors for him, who alſo appeared perſonally in Judgment, and were admitted by the Juſtice to that effect.

THERE alſo appeared Mr. *Henry Kenrof*, alledging to be Proctor for *Andrew* Maſter of *Errole*, and produced in Judgment the writing and proteſtation under written, deſiring the

ſame to be regiſtred and inſerted in the books of adjournal, the tenor whereof followeth.

THE ſame day appeared Mr. *Henry Kinrof*, proctor for *Andrew* Maſter of *Errole*, Conſtable of *Scotland*, and alledged that the Conſtables for the time, of this Realm, hath been at all times by-paſt only Judges competent to all ſuch perſons as have been accuſed criminally, for committing of ſlaughter, murder, or of blood drawing near to the Prince's chamber, or within four miles of the ſame. And therefore the ſaid Maſter now being Conſtable of this Realm, ought and ſhould be the competent Judge to *James* Earl *Bothwel*, and others his alledged complices called this day, and to be accuſed for acting any part of the alledged cruelty, treaſonable ſlaughter of the late *Henry* King of *Scots*. And in caſe *Archibald* Earl of *Argyle*, as chief Juſtice of this Realm, or his deputies proceed in the ſaid cauſe, the ſaid Maſter *Henry*, proctor aforeſaid, proteſteth ſolemnly, that the ſame proceeding therein, ſhall in no wiſe hurt, nor prejudice the ſaid Conſtable in his office, rights, title of rights, intereſts, juriſdiction, or inveſtment thereof in any ſort, but that he may uſe and exerciſe his ſaid juriſdiction in all ſuch caſes in times coming, conform to his inveſtment of the ſaid office, and uſe of cognoſcing uſed by his predeceſſors, and before him in like cauſes. All which time he makes it known, either

by

by inveſtment or other ways ſufficiently, him to have juriſdiction in ſuch cauſes. And deſires the ſame proteſtation to be inſerted in the book of adjournal, and admit it under proteſtation, that he affirm not the Lord Juſtice juriſdiction in any ſort in proceeding in the ſaid matter.

THE Juſtice, being adviſed with the ſaid alleadgeance and proteſtation, found by interlocutor, and ordained that proceſs ſhould be laid by him in this matter, notwithſtanding the ſame, in reſpect that nothing was ſhown by the ſaid Mr. *Henry*, to verifie the contents of the ſaid alleadgeance and proteſtation. Whereupon the ſaid Earl *Bothwel* asked a note of Court and inſtrument.

THE ſaid *Matthew* Earl of *Levenox* and others our Sovereign Ladies lieges, having or pretending to have intereſt to purſue in the ſaid matter, being oftentimes called, to have appeared and concurred with the ſaid advocates, in purſuing of the ſaid action, *Robert Cunningham* appeared, alledging him ſervant to the ſaid *Matthew* Earl of *Lenox*, and produced the writing under written, which he ſubſcribed with his hand in Judgment. As he that had power to uſe the ſame, and proteſted it, and deſired to conform thereto in all points. Of the which writing the tenor follows.

MY Lords I am come here, ſent by my Maſter my Lord of *Lenox*, to declare the cauſe

cauſe of his abſence this day, and with his power as the ſame bears. The cauſe of his abſence is the ſhortneſs of time; and that he is denied of his friends and ſervants, who ſhould have accompanied him to his honour and ſecurity of his life, in reſpect of the greatneſs of his party, and he having aſſiſtance of no friends but only himſelf. And therefore his L. commanded me to deſire a ſufficient day, according to the weight of the cauſe, therefore he may keep the ſame. And if your L. will proceed at this preſent, I proteſt that I may without any diſpleaſure of any man, uſe theſe things committed to my charge by my Lord my Maſter. Whereof I take a document.

Item, I proteſt, that if the perſons who paſſes upon aſſize and inqueſt of theſe perſons that ſhall enter on pannel this day, clear the ſaid perſons of the murder of the King, that it ſhall be willful error and not ignorance, by reaſon that it is notoriouſly known thoſe perſons to be the murtherers of the King, as my Lord my Maſter alledges, upon the which proteſtation I require a document. *Sic ſubſcribitur*, ROBERT CUNNINGHAM.

UPON the production of the which writing and proteſtation, the ſaid *Robert* asked acts and inſtruments.

THE Juſtice, being adviſed with the aforeſaid writing and proteſtation produced, and uſed by the ſaid *Robert Cunningham* in reſpect

ſpect of the letters and writings ſent to our ſovereign by the ſaid *Matthew* L. of *Lenox*, produced it, and read it in a Court, whereof the copies are under written. By the which letters and writings, the ſaid Earl of *Lenox* deſired a ſhort and ſummary proceſs to be deduced in the ſaid matter, and alſo of the act and ordinance of the Lords of the ſecret Council granted thereupon, and ſuch like in reſpect of the earneſt inſiſting of the Advocates, deſiring proceſs and right ſuit of the ſaid Earl *Bothwel*'s earneſt petition and deſire of trial to be had in the ſaid matter, with the advice of the Lords and Barons aſſeſſors preſent, and by an interlocutor, that proceſs ſhould be deduced in the ſaid action this day, according to the laws of this Realm. Notwithſtanding the writing and proteſtation produced by the ſaid *Robert Cunninghame*, and likewiſe admit him to concur and aſſiſt the ſaid advocates in the purſuance of the ſaid action, if he pleaſed.

Here followeth the Copies of the Letters and Writings ſent to the Queen's Majeſty, by the ſaid Earl of Lenox.

I Render moſt humble thanks unto your Majeſty for your gracious and comfortable letter which I received the 24th day of this inſtant. And whereas I perceive by the ſame, that it is your Majeſty's pleaſure to remit

remit the trial of this late odious act to the time of a parliament. May it pleaſe your Majeſty, although I am aſſured your Highneſs thinks the time as long as I do till the matter be tried, and the authors of the deed condignally puniſhed; yet I ſhall humbly crave your Majeſty's pardon in troubling your Highneſs ſo oft therein as I do; for the matter toucheth me ſo near, I beſeech your Majeſty moſt humbly to accept this my ſimple advice in good part, as follows: Which is, that whereas the time is long to the parliament, this matter not being a parliament matter, but of ſuch weight and validity, which ought rather to be with all expedition and diligence ſought out and puniſhed, to the example of the whole world, as I know your Majeſty's wiſdom conſiders the ſame far more than my wits can comprehend; yet, foraſmuch as I hear of certain tickets that have been put on the Tolebooth door of *Edinburgh*, anſwering your Majeſty's firſt and ſecond Proclamations, which mentions in ſpecial, the names of certain perſons, deviſors of the cruel murder, I ſhall therefore moſt humbly beſeech your Majeſty, for the love of God, the honour of your Majeſty, your Realm, and the weal and tranquility thereof, that it would pleaſe your Majeſty forthwith, not only to apprehend and put in ſure keeping the perſons named in the ſaid tickets, but alſo with diligence, to aſſemble

your

your Majeſty's Nobility, and then by open Proclamation, to admoniſh and require the writers of the ſaid tickets to appear according to the effect thereof, at the which time, if they do not, your Majeſty, may by advice of your Nobility and Counſel, relieve and ſet at liberty the perſons named in the ticket aforeſaid. So ſhall your Majeſty do an honourable and godly act in the bringing the matter to ſuch a narrow point as either the matter ſhall appear plainly before your Majeſty, to the puniſhment of thoſe who have been the authors of this cruel deed, or elſe the ſaid tickets found vain in their ſelves, and the perſons which are ſlandered to be exonerated and ſet at liberty at your Majeſty's pleaſure. So I commit your Majeſty to the protection of Almighty God, to preſerve you in health, and moſt happy reign. Of *Howſton* the 26th day of *February*.

MAY it pleaſe your Majeſty, where your Highneſs in your laſt letter writes to to me, that if there be any names in the tickets that was affixt upon the Tolbooth door of *Edinburgh*, that I think worthy to ſuffer a trial for the murther of the King your Majeſty's husband, upon my advertiſement, your Majeſty ſhould proceed to the cognition taking, as may ſtand with the laws of this Realm, and being found culpable, ſhall ſee the puniſhment as rigorouſly executed as the weight of the

the crime deſerves. May it pleaſe your Majeſty, ſince the receipt of your Highneſs Letter, I have ſtill lookt that ſome of the bloudy murtherers ſhould have been openly known ere now. And ſeeing they are not yet, I cannot find in my heart to conceal the matter any longer, but let your Majeſty underſtand the names of them whom I greatly ſuſpect, that is to ſay, the Earl *Bothwel*, Mr. *James Balfor*, and *Gilbert Balfor* his brother, Mr. *David Chamer*, *Blackmaſter*, *John Spens*, *Senior Francis*, *Baſtian*, *John* the *Burdeavix*, and *Joſeph*, *Davids* brother. Which perſons I moſt intirely and humbly beſeech your Majeſty, that according to my former Petition unto your Highneſs, it will pleaſe, not only to apprehend and put in ſure keeping, but as with diligence to aſſemble your Majeſty's whole Nobility and Council, and then to take ſuch perfect order of the aforenamed perſons, that they may be juſtly tried, as I doubt not but in ſo doing the ſpirit of God ſhall work in the ſaid matter, that the truth ſhall be known. • So ſhall your Majeſty do a moſt godly and honourble act, for your ſelf being the party as you are, a great ſatisfaction it ſhall be to all that belongs unto him that is gone, who was ſo dear unto your Highneſs. And now not doubting but your Majeſty will take order in the matter according to the weight of the cauſe, which I moſt humbly beſeech, I commit your Majeſty to

the

the protection of the Almighty God, who preſerve you in health, long life, and moſt happy Reign. Of *Howſton* this ſeventeenth of *March*.

Aſſizes.

Andro Earl of *Rothes.*
George Earl of *Caithnes.*
Gilbert Earl of *Caſſillis.*
Lord *John Hamilton*, Commander of *Arbroycht*, ſon to the Lord Duke.
James Lord *Roſſe.*
Robert Lord *Sumple.*
John Maxwell Lord *Hereif.*
Laurence Lord *Oliphant.*
John Maſter of *Forveſs.*
John Gordon of *Lothinware.*
Robert Lord *Boyd.*
James Cokbourn of *Launton.*
John Somervile of *Cambuſnethan.*
Mowbray of *Bern Buxal.*
Ogilby of *Boyn.*

THE forenamed perſons of Aſſize being choſen, admitted and ſworn in judgment, as the uſe is. And therefore the ſaid Earl *Bothwel* being accuſed by the ſaid dictate of the

crime

crime aforeſaid, and the ſame being denied by him, and referred to the deliverance of the ſaid Aſſize, they removed out of the ſaid Court, and all together convened, and after long reaſoning had by them upon the ſame dictate and points thereof, they and eke one of them for themſelves voted, delivered, and acquit the ſaid *James* Earl *Bothwel* of act and part of the ſaid ſlaughter of the King, and points of the ſaid dictate.

And ſince the ſaid *George* Earl of *Caithnes*, Chancellor of the ſaid Aſſizes in his and their names asked inſtruments, that neither the ſaid advocates, nor the ſaid *Robert Cunningham* as have had commiſſion of my Lord of *Lenox*, nor no other brought into them any writing, token, or verification, whereby the dictate above written might be forfeit, nor the ſaid Aſſize perſwaded to deliver any otherwiſe, than is above written. Nor yet was the ſaid dictate ſworn, nor no party, except the ſaid advocates, competent to purſue the ſame, and therefore in reſpect that they delivered according to their knowledge, proteſts that they ſhould incur no willful error in any wiſe hereafter. Which inſtrument and proteſtation immediately after the re-entry of the ſaid Earl of *Caithnes* Chancellor, and one part of the named of the ſaid perſons of Aſſize in the ſaid Court of Juſticiary, before the pronunciation of their deliverance aforeſaid, at the deſire of the ſaid Earl of *Caithnes* was openly

openly read in judgment. And thereupon he of new asked acts and inſtruments, and proteſteth in manner above expreſſed.

EXtractum de libro actorum adjournalis S. D. N. Reginæ, Per me Joannem Bellenden *de Auchinoule militem, Clericum Juſticiariæ ejuſdem generalem. Sub meis ſigno & ſubſcriptione manualibus.*

Johannes Bellenden, *Clericus Juſticiariæ.*

NOTE that at the ſame time proteſtation was made by *George* Earl of *Caithnes*, Chancellor of the ſaid aſſize, that the ſaid dictate or indictment was not in this point true, *viz.* in alledging the murder to be committed the ninth day of *February*; for that indeed the murder was committed the next day, being the tenth day in the morning, at two hours after midnight: Which in law was, and ought to be, truly accounted the tenth day; and ſo the acquital, that way, but cavillingly defended.

The Writings and Letters found in the ſaid Casket, which are avowed to be written with the Scottiſh *Queen's own Hand.*

Certain *French* Sonnets, written by the Queen of *Scots* to *Bothwel*, before her marriage with him, and (as it is ſaid) while her husband lived; but certainly before his divorce from his wife, as the words themſelves ſhew, before whom ſhe here preferreth herſelf in deſerving to be beloved of *Bothwel.*

O Dieux ayez de moy compaſſion
Et m' enſeignez quelle preuve certain
Je puis donner qui ne luy ſemble vain
De mon amour & ferme affection
Las! n' eſt il pas ja en poſſeſſion
Du corps, du cœur qui ne refuſe pain
Ny diſhonneur, en la vie incertain,
Offenſe de parents, ne pire affliction?
Pour luy tous mes ames j'eſtime moins que rien,
Et de mes ennemis je veux eſperer bien.

J'ay

J'ay hazardé pour luy & mon conſcience :
Je veux pour luy au monde renoncer :
Je veux mourir pour luy avancer.
En reſte il plus pour prouver ma conſtance ?
Entre ſes mains & en ſon plein pouveir
Je metz mon filz, mon honneur, & may vié,
Mon païs, mes ſubjectz mon ame aſſubjectie
Eſt tout à luy, & n'ay autre vaulloir
Pour mon object que ſans le decevoir
Suiure je veux malgré toute l'envie
Qui iſſir en peult, Car je n'autre è vie
Que de ma foy, luy faire appercevoir
Que pour tempeſte ou bonnace qui face
Jamais ne veux changer demeure ou place.
Brief je feray de ma foy telle preuve,
Qu'il cognoiſtra ſans fainte ma conſtance,
Non par mes pleurs ou fainte obeyſſance,
Comme autres ont fait, mais par divers eſpreuve.

Elle pour ſon honneur vous doibt obeyſſance
Moy vous obeyſſant j'en puis recevoir blaſme,
N'eſtat, à mo regret, comme elle voſtre femme.
Et ſi n'aura pour tant en ce point preeminence
Pour ſon proſit elle uſe de conſtance,
Carce n'eſt peu d'honneur d'eſtre de voz biens dame
Et moy pour vous aimer j'en puis recevoir blaſme
Et ne luy veux beder en toute l'obſervance
Elle de voſtre mal n'a l'apprehenſion
Moy je n'ay [redacted]nt je crains l'apparence
Par l'aduis des parentz, elle eut veſtre accointance
Moy maugré tous les miens vous porte affection
Et de ſa loyauté prenez ſeure aſſeurance.

Par vous mon cœur & par voſtre alliance
Elle a remis ſa maiſon en honneur
Elle a jouy par vous la grandeur
Dont tous les ſiens n'ayent mal aſſurance.

De vous mon bien elle à eu la conſtance,
Et à gaigné pour un temps voſtre cœur,
Par vous elle à eu plaiſir en bon heur,
Et pour vous à receu honneur & reverence,
Et n' à perdu fin on la joviſſance
D'un faſcheux ſot qu'elle aymoit cherement.
Je ne la playns d'aymer donc ardamment,
Celuy qui n' à en ſens, ny en vaillance,
En beauté, en bonté, ny en conſtance
Point de ſeconde. Je vis en ceſte foy,

Quant vous l'amiez, elle uſoit de froideur.
Sy vous ſouffriez, pour s'amour paſſion
Qui vient d'aymer de trop d'affection,
Son dòig monſtroit, la triſteſſe de cœur
N'ayant plaiſir de voſtre grand ardeur
En ſes habitz, monſtroit ſans fiction
Qu'elle n'avoit paour qu' imperfection
Peuſt l'effacer hors de ce loyal cœur.
De voſtre mort je ne vis la peaun
Que meritoit tel mary & ſeigneur.
Comme de vous elle à eu tout ſon bien
Et n' à priſé ne jamais eſtimé
Un ſi grand heur ſi non puis qu'il n'eſt ſien
Et maintenant dit l'avoir tant aymé.

Et maintenant elle commence à voir
Qu'elle eſtoit bien de mauvais jugement
De n'eſtimer l'amour d'un tel amant
Et vouldroit bien mon amy decevoir,
Par les eſcriptz tout fardez de ſcavoir
Qui pourtant n'eſt en ſon eſprit croiſſant
Ains emprunté de quelque autheur luiſſant.
A faint tres bien un envoy ſans l'avòir
Et toutes fois ſes parolles fardez,
Ses pleurs, ſes plainctz remplis de fictions,
Et ſes hauts cris & lamentations,

Ont

Ont tant gaigné qui par vous ſont gardez
Ses lettres eſcriptes auſquelles vous donnez foy
Et ſi l' aymez & croyez plus que moy.

Vous lay croyez, las! trop je l' appercoy
Et vous doutez, de ma ferme conſtance,
O mon ſeul bien & mon ſeul eſperance,
Et ne vous puis je aſſeurer de ma foy
Vous m' eſtimez leger que je voy,
Et ſi n' avez en moy nul aſſeurance,
Et ſoupçonnez mon cœur ſans apparence,
Vous deffiant à trop grand tort de moy.
Vous ignorez l' amour que je vous porte,
Vous ſoupçonnez qu' autre amour me tranſporte;
Vous eſtimez mes parolles du vent,
Vous depeignez de cire mon las cœur,
Vous me penſez femme ſans jugement.
Et tout cela augmente mon ardeur.

Mon amour croiſt & plus en plus croiſtra
Tant que je viuray, and tiendray à grandheur,
Tant ſeulement d' avoir part en ce cœur
Vers qui en fin mon amour perſiſtra
Si tres à clair que jamais n'en doutra.
Pour luy je veux rechercher la grandeur,
Et feray tant qu'en vray cognoiſtra,
Que je n'ay bien, heur, ne contentement,
Qu' à l' obeyr & ſervir loyaument
Pour luy j'attend toute bonne fortune.
Pour luy je veux garder ſanté & vie.
Pour luy tout vertu de ſuiure j' ayemvie,
Et ſans changer me trouvera tout' une.

Pour luy auſſi je jette maintes larmes.
Premier quand il ſe fiſt de ce corps poſſeſſeur,
Du quel alors il n'avoit pas le cœur.
Puis me donna un autre dur alarme,

Quand il verſa de ſon ſang mainte dragme,
Tant do grief il me vint laiſſer doleur,
Qui m'en penſa oſter la vie, & frayeur
De perdre las ! le ſeul rempar qui m'arme.
Pour luy depuis jay meſpriſe l' honneur
Ce qui nous peult ſeul pourvoir de bonheur.
Pour luy j'ay hazardé grandeur & conſcience,
Pour luy tous mes parentz j' ay quite, & amis,
Et tous autres reſpectz ſont apart mis,
Brief de vous ſeul je cherche l' alliance.

De vous je dis ſeul ſouſtein de ma vie
Tant ſeulement je cerche m' aſſeurer,
Et ſi oſe de moy tant preſumer
De vous gaigner maugre toute l' envie.
Car c' eſt le ſeul deſir de voſtre chere amie,
De vous ſervir & loyaument aymer,
Et tous malheurs moins qui rien eſtimer,
Et voſtre volonte de la mien ne ſajure.
Vous cognoiſtrez avecques obeyſſance
De mon loyal devoir n' omittant laſcience
A quoy je eſtudieray pour touſiours vous complaire
Sans aymer rien que vous, ſoubz la ſubjection.
De qui je veux ſans nulle fiction
Vivre & mourir & à ce j' obtempere.

Mon cœur, mon ſang, mon ame, & mon ſoucy
Las, vous m' avez promis qu' aurons ce plaiſir
De deviſer avecques vous à loyſir
Toute la nuict, ou je languis jey,
Avant le cœur d' extreme paour tranſy,
Pour voir abſent le but de mon deſir
Crainte d' oublier un coup me vient à ſaiſir :
Et l' autre fois je crains que rendurcie
Soit contre moy voyſtre amiable cœur
Par quelque dit d' un meſchant ramporteur.
Un autre fois je crains quelque aventure

Qui

Qui par chemin detou ne mon amant,
Par un faſcheux & nouveau accident.
Dieu detourne toute malheureux augure.

Ne vous voyant ſelon qu' avez promis
J' ay mis la main au papier our eſcrire
D' un different que je voulu tranſcrire.
Je ne ſcay pas quel ſera v.ſtre advis
Mais je ſcay bien qui mieux aymer ſcaura,
Vous diriez bien que plus y gaignera.

O Goddeſs have of me compaſſion,
And ſhew what certain proof
I may give, which ſhall not ſeem to him vain,
Of my love and fervent affection.
He alas, is he not already in poſſeſſion
Of my body, of heart, that refuſes no pain,
Nor diſhonour in this life uncertain,
Offence of friends, nor worſe affliction,
For him I eſteem all my friends leſs than nothing
And I will have good hope of my enemies.
I have put in hazard for him both fame and conſcience,
I will for his ſake renounce the world,
I will die to ſet him forward.
What remaineth to give proof of my conſcience?

In his hands and in his full power,
I put my ſon, my honour, and my life,
My country, my ſubjects, my ſoul, all ſubdued
To him, and has none other will
For my ſcope, which without deceit,
I will follow in ſpite of all envie
That may enſue: For I have no other deſire,
But to make him perceive my faithfulneſs,
For ſtorm or fair weather that may come,
Never will it change dwelling, or place.

Shortly I ſhall give of my truth ſuch proof,
That he ſhall know my conſtancy without fiction,
Not by my weeping, or feigned obedience,
As other have done: But by other experience.

She for her honour oweth you obedience:
I in obeying you may receive diſhonour,
Not being (to my diſpleaſure) your wife as ſhe.
And yet in this point ſhe ſhall have no prehemi-
nence.
She uſeth conſtancy for her own profit:
For it is no little honour to be miſtreſs of your
goods,
And I for loving of you may receive blame,
And I will not be overcome by her in loyal ob-
ſervance,
She has no apprehenſion of your evil,
I fear of all appearing evil that I can have no reſt
She had your acquaintance by the conſent of her
friends,
I againſt all their will have born you affection.
And not the leſs (my heart) you doubt of my
conſtancy,
And of her faithfulneſs you have firm aſſurance.

By you (my heart) and by your alliance
She hath reſtored her houſe unto honour,
By you ſhe is become to that greatneſs,
Of which her friends had never aſſurance,
Of you (my wealth) ſhe got the acquaintance,
And hath conquer'd the ſame time your heart.
By you ſhe hath pleaſure and good luck,
And by you hath received honour and reverence,
And hath not loſt but the enjoying
Of one unpleaſant fool, which ſhe loved dearly.
Then I moan her not to love ardently
Him that hath none in wit, in manhood,

In

In beauty, in bounty, in truth, nor in conſtancy,
Any ſecond: I live in the belief.

When you loved her ſhe uſed coldneſs,
If you ſuffer for her love paſſion.
That cometh of too great affection of life,
Her ſadneſs ſhews the dolour of her heart,
Taking no pleaſure of your vehement burning,
In her cloathing ſhe ſhews unfeignedly,
That ſhe had no fear, that imperfection
Could deface her out of that true heart.
I did not ſee in her the fear of your death,
That was worthy of ſuch a husband and Lord.
Shortly ſhe hath of you all her wealth.
And hath never weighed nor eſteemed
On ſo great hap, but ſince it was not hers,
And now ſhe ſaith that ſhe loveth him ſo well.

And now ſhe beginneth to ſee,
That ſhe was of very evil judgment,
To eſteem the love of ſuch a lover,
And would fain deceive my love,
By writings and painted learning,
Which not the leſs did not breed in her brain,
But borrowed from ſome feat author,
To feign one ſtory and have none.
And for all that her painted words,
Her tears, her plaints full of diſſimulation,
And her [illegible] cries and lamentations
Hath won that point, that you keep in ſtore,
Her letters and writings, to which you give truſt,
Yea, and loveſt and believeſt her more than me.

You believe her (alas) I perceive it too well,
And calleſt in doubt my firm conſtancy
(O mine only wealth, and mine only hope)
And I cannot aſſure you of my truth.

I ſee

I ſee that you eſteem me light,
And be no way aſſured of me,
And doeſt ſuſpect (my heart) with any appearing cauſe,
Diſcrediting me wrongfully.
You dō not know the love I bear to you.
You ſuſpect that other love tranſporteth me.
You think my words be but wind:
You paint my very heart, as it were of wax;
You imagine me a woman without judgment.
And all that increaſeth my burning.

My love increaſeth, and more and more will increaſe
So long as I ſhall live; and I ſhall hold for a great felicity
To have only part in that heart,
To which at length my love ſhall appear
So clearly, that he ſhall never doubt.
For him I will ſtrive againſt one world;
For him I will renounce greatneſs;
And ſhall do ſo much, that he ſhall know
That I have no wealth, hap, nor contentation,
But to obey and ſerve him truly.
For him I attend all good fortune:
For him I will conſerve health and life:
For him I deſire to enſue courage:
And he ſhall ever find me unchangeable.

For him alſo I poured out many teares
Firſt when he made himſelf poſſeſſor of this body,
Of the which then he had not the heart.
After he did give me one other hard charge,
When he bled of his blood great quantity:
Through the great ſorrow of which, came to me that dolour,
That almoſt carried away my life, and the fear
To loſe the only ſtrength that armed me.

For

For him ſince I have deſpiſed honour,
The thing only that bringeth felicity:
For him I have hazarded greatneſs and conſcience:
For him I have forſaken all kindred and friends,
And ſet aſide all other reſpects.
Shortly, I ſeek the alliance of you only:

Of you, I ſay, the only upholder of my life,
I only ſeek to be aſſured;
Yea, and dare preſume ſo much of my ſelf,
To win you in ſpite of all envy:
For that is the only deſire of your dear love,
To ſerve and love you truly;
And to eſteem all this hap leſs than nothing,
And to follow your will with mine,
You ſhall know with obedience;
Not forgetting the knowledge of my loyal duty,
The which I ſhall ſtudy, to the end that I may ever pleaſe you;
Loving nothing but you; in the ſubjection
Of whom I will, without any fiction,
Live and die; and this I conſent.
My heart, my blood, my ſoul, my care,
Alas! you had promiſed that I ſhould have that pleaſure,
To deviſe with you at leiſure.
All the night where I lie and languiſh here,
My heart being overſet with extreme fear,
Seeing always the ſum of my deſire.
Fear of forgetting ſometime taketh me,
And other times I fear that loving heart
Be not hardened againſt me,
By ſome ſaying of one wicked reporter:
Other times I fear ſome adventure,
That by the way ſhould turn back my love,
By ſome troubleſome and new accident.
O God! turn back all unhappy augure.

Nor

Not ſeeing you as you had promiſed,
I put my hand to the paper to write,
Of one difference that I have wilt it copy.
I cannot tell what ſhall be your judgment,
But I know well who can beſt love,
You can tell who ſhall win moſt.

A Letter written by her from *Glaſcow* to *Bothwel*, proving her hate to her Husband, and ſome ſuſpicions of practiſing his death: Which Letter was written in *French*, and here enſueth, tranſlated word for word.

IL ſemble qu' avecques voſtre abſence ſoit joynt l' oubly, veu qu' au partir vous me promiſtes de vos novelles. Et toutes foys je n'en puis apprendre, &c.

IT appears, that with your abſence there is alſo joyned forgetfulneſs, ſeeing that at your departing you promiſed to make me advertiſement of your news from time to time. The waiting upon them yeſterday, cauſed me to be almoſt in ſuch joy as I will be at your returning, which you have delayed longer than your promiſe was. As to me, howbeit I have no further news from you according to my commiſſion, I bring the man with me to *Cragmillar* upon *Monday*, where

where he will be all *Wedneſday*, and I will go to *Edinburgh*, to draw blood of me, if in the mean time I get no news to the contrary from you. He is more gay than ever you ſaw him; he puts me in remembrance of all things that may make me believe he loves me. Perhaps you will ſay, that he makes love to me: Of the which I take ſo great pleaſure, that I enter never where he is, but incontinent I take the ſickneſs of my ſore ſide, I am ſo troubled with it. If *Pareis* brings me that which I ſend him for, I truſt it ſhall amend me. I pray you advertiſe me of your news at length, and what I ſhall do, in caſe you be not returned when I am come there; for in caſe you work not wiſely, I ſee that the whole burden of this will fall upon my ſhoulders. Provide for all things, and diſcourſe upon it firſt with yourſelf. I ſend this by *Betoun*, who goes to one day of law of the Lord of *Balfours*. I will ſay no further, ſaving I pray you to ſend me good news of your voyage. From *Glaſcow* this *Saturday* in the morning.

Another Letter to *Bothwel*, concerning the hate of her Husband, and practice of his murder.

ESTant party du lieu ou j' avois laiſſé mon cœur il ſe peult ayſément juger quelle eſtoit ma contenance, veu ce qui peult un

corps

corps ſans cœur, qui à eſté cauſe que juſques à la diſnée je n'ay pas tenu grand propos, auſſi perſonne ne s'eſt voulu advancer jugeant bien qu'il n'y faiſoit bon, &c.

BEing departed from the place where I left my heart, it is eaſie to be judged what was my countenance, ſeeing that I was even as much as one body without a heart, which was the occaſion that while dinner time I held purpoſe to no body, nor yet durſt any preſent themſelves unto me, judging that it was not good ſo to do. Four miles ere I came to the town, one Gentleman of the Earl of *Lenox* came and made his commendations unto me, and excuſed him that he came not to meet me, by reaſon that he durſt not enterprize the ſame, becauſe of the rude words that I had ſpoken to *Cunningham*, and he deſired that he ſhould come to the inquiſition of the matter that I ſuſpected him of. This laſt ſpeaking was of his own head, without any commiſſion. I anſwered to him, that there was no receit could ſerve againſt fear, and that he would not be afraid in caſe he were not culpable, and that I anſwered but rudely to the doubts that were in his letters: So that I made him hold his tongue; the reſt were too long to write. Sir *James Hamilton* met me, who ſhewed that the other time, when he heard of my coming, he departed

away,

away, and ſent *Houſton* to ſhew him that he would never have believed that he would have purſued him, nor yet accompanied him with the *Hamiltons*. He anſwered that he was only come but to ſee me, and that he would neither accompany *Stewart* nor *Hamilton* but by my commandment. He deſired that he would come and ſpeak with him, he refuſed it. The Lord of *Luſe*, *Houſton* and *Cauldwallis* ſon, with forty horſe or thereabout came and met me. The Lord of *Luſe* ſaid that he was charged to one day of law, by the King's father, which ſhould be this day, againſt his own hand writing, which he has. And yet notwithſtanding, knowing of my coming it is delayed, he was inquired to come to him, which he refuſed, and ſwears that he will indure nothing of him. Never one of that town came to ſpeak to me, which cauſes me to think that they are his, and nevertheleſs he ſpeaks good, at the leaſt his ſon. I ſee no other Gentleman, but they of my company. The King ſent for *Joachim* yeſternight, and asked of him, why I lodged not beſide him, and that he would riſe the ſooner if that were, and wherefore I come, if it was for good appointment, and if you were there in particular, and if I had made my eſtate, if I had taken *Pareis* and *Gilbert* to write to me, and that I would ſend *Joſeph* away. I am abaſhed who

This bearer will tell you ſomewhat upon this.

has

has ſhewn him ſo far, yea he ſpake even of the marriage of *Baſtian*. I inquired him of his Letters, whereunto he complained of the cruelty of ſome, anſwered that he was aſtoniſhed, and that he was ſo glad to ſee me, that he believed to die for gladneſs; he found great fault that I was penſive, I departed to ſupper, this bearer will tell you of my arriving, he prayed me to return, the which I did, he declared unto me his ſickneſs, and that he would make no teſtament but only leave all things to me, and that I was the cauſe of his malady, becauſe of the regret that he had that I was ſo ſtrange unto him. And thus he ſaid, you ask me what I mean by the cruelty contained in my Letter, it is of you alone that will not accept of my offers and repentance. I confeſs that I have failed, but not into that which I ever denied, and ſuch like has fallen to ſundry of your ſubjects which you have forgiven. I am young. You will ſay, that you have forgiven me oftentimes, and yet that I return to my faults. May not any man of my age for lack of counſel fall twice or thrice, or in lack of his promiſe, and at laſt repent himſelf, and be chaſtiſed by experience? If I may obtain pardon, I proteſt I ſhall never make fault again. And I crave no other thing but that we may be at bed and board together as husband and wife, and if you will not conſent hereunto, I will never riſe out of this bed, I pray you tell me

your

your reſolution. God knows how I am puniſhed for making my God of you, and for having no other thought but on you, and if at any time I offend you, you are the cauſe, becauſe when any offends me, if for my refuge I might complain unto you, I would ſpeak it unto no other body; but when I hear any thing, not being familiar with you, neceſſity conſtrains me to keep it in my breaſt: And that cauſes me to try my wit for very anger. I anſwered ſtraight unto him, but that would be overlong to write at length. I asked why he would paſs away in the Engliſh ſhip, he denies it, and ſwears thereunto, but he grants that he ſpake with the men. After this I inquired of the inquiſition of *Highgate*, he denied the ſame while I ſhewed him the very words was ſpoken. At which time he ſaid, that *Minto* had advertiſed him that it was ſaid that ſome of the counſel had brought one Letter to me to be ſubſcribed to put him in priſon, and to ſlay him if he made reſiſtance. And he asked the ſame of *Minto* himſelf, who anſwered, that he believed the ſame to be true. In the morning I will ſpeak to him upon this point. As to the reſt, *William Highgates* he confeſſed it, but it was the morning after my coming ere he did it. He would very fain that I ſhould lodge in his lodging, I refuſed it, and ſaid to him, that he behoved to be purged, and that could not be done here; he ſaid to me, I hear ſay you have

brought one Letter with you, but I had rather have paſſed with you. I think he believed that he would have ſent him away priſoner; I anſwered that I would take him with me to *Cragmillar*, where the Phyſician and I might help him, and not be far from my ſon, he anſwered, that he was ready when I pleaſed, ſo I would aſſure him of his requeſt, he deſires no body to ſee him, he is angry when I ſpeak of *Walcar*, and ſays, that he ſhall pluck the ears from off his head, and that he lies: For I inquired him upon that, and that he was angry with ſome of the Lords, and would threaten them, he denies that, and ſays, he loves them all, and prays me to give truſt to nothing againſt him; as to me he would rather give his life ere he did any diſpleaſure to me. And after this he ſhewed me of ſo many little flatteries, ſo coldly, and ſo wiſely, that you will be aſhamed thereat. I had almoſt forgot that he ſaid he could not doubt of me in this purpoſe of *Highgates*, for he would never believe that I, who was his proper fleſh, would do him any evil, as well it was ſhewn that I refuſed to ſubſcribe the ſame; but as to any others that would purſue him at leaſt he ſhould ſell his life dear enough, but he ſuſpected no body, nor yet would not, but would love all that I loved, he would not let me depart from him, but deſired that I ſhould wake with him, I make it ſeem that I believe that all is true, and takes

heed

heed thereto, and excuſed my ſelf for this night that I could not wake; he ſays, he ſleeps not well, you ſaw him not better, nor ſpeak more humble. And if I had not a proof of his heart of wax; and that mine were not of a Diamond, whereinto no ſhot can make breach, but that which comes forth of your hand, I would have almoſt had pity of him. But feaſ not; the place ſhall hold unto the death. Remember in recompence thereof that ye ſuffer not yours to be won by that falſe race that will travel no leſs with you for the ſame. I believe they have been at ſchool together, he has ever the tear in his eye, he ſalutes every body, yea unto the leaſt, and makes piteous moan unto them to make them have pity on him. This day his father bled at the mouth and noſe, gheſs what preſage that is. I have not yet ſeen him, he keeps his chamber. The King deſires that I ſhould give him meat with mine own hands. But give no more truſt where you are then I ſhall do here. This is my firſt journey, I ſhall ſend the ſame to morrow. I write all things, howbeit they be of little weight, to the end that ye may take the beſt of all to judge upon. I am in doing of a work here that I hate greatly. Have you not a deſire to laugh to ſee me lie ſo well, at the leaſt to diſſemble ſo well, and to tell him truth betwixt hands. He ſhewed me almoſt all that is in the name of the Biſhop and *Sunderland*,

and yet I have never touched one word of that you ſhewed me, but only by force flattering, and to pray him to aſſure himſelf of me. And by complaining on the Biſhop I have drawn it all out of him. You have heard the reſt. We are coupled with two falſe races, the Devil ſunder us, and God knit us together for the moſt faithful couple that ever he united. This is my faith, I will die in it. Excuſe it, I write evil, you may gheſs the half of it, but I cannot mend it, becauſe I am not well at eaſe, and very glad to write unto you when the reſt are aſleep, ſith I cannot ſleep as they do, and as I would deſire, that is, in your arms my dear love, whom I pray God to preſerve from all evil, and ſend you repoſe; I am going to ſeek mine till the morning, when I ſhall end my Bible; but I am vexed that it ſtops me to write news of my ſelf unto you, becauſe it is ſo long. Advertiſe me what you have deliberated to do in the matter, you know upon this point, to the end that we may underſtand each other well, that nothing thereof be ſpilt. I am weary, and going to ſleep, and yet I ceaſe not to ſcribble all this paper in ſo much as remains thereof. Wearied might this pocky man be, that cauſes me to have ſo much pain; for without him I ſhould have a far pleaſanter ſubject to diſcourſe upon. He is not overmuch deformed, yet he has received very much. He has almoſt ſlain me with his breath,

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it is worſe than your Uncles, and yet I come no nearer unto him but in a chair at the bed's feet, and being at the other end thereof.

THE meſſage of the father in the Gate.

THE purpoſe of Sir *James Hamilton.*

OF that the L. of *Luſſe* ſhewed me of the delay.

OF the demands that ſhe asked of *Jaochim.*

OF my eſtate, of my company, of the occaſion of my coming, and of *Joſeph.*

Item, The purpoſe that he and I had together.

OF the deſire he has to pleaſe me, and of his repentance.

OF the interpretation of his Letter.

OF *William Highgate*'s matter of his departing.

OF *Monſieur de Levingſton.*

I had almoſt forgot that *Monſieur de Levingſton* ſaid in the Lady *Rereſe*'s ear at ſupper; that he would drink to the folk I wiſt of, if I would pledge them. And after ſupper he ſaid to me when I was leaning upon him warming me at the fire; you have fair going to ſee ſuch folk, yet you cannot be ſo welcome unto them, as you left ſome body this day in ſadneſs, that will never be merry while he he ſee you again. I asked of him, who that was? With that he thruſt my body and ſaid, that ſome of his folks had ſeen you in faſchery, you may gueſs at the reſt. I wrought this

day while it was two hours upon this bracelet, for to put the key of it within the lock thereof, which is coupled underneath with two cordwins. I have had ſo little time that it is evil made; but I ſhall make one fairer in the mean time. Take heed that none that is here ſee it, for all the world will know it; becauſe for haſte it was made in their preſence. I am now paſſing to my intended purpoſe. You make me diſſemble ſo far that I have horror thereat; and you cauſe me to do almoſt the office of a traitour. Remember how if it were not to obey you, I had rather be dead ere I did it; my heart bleeds at it. So that, he will not come with me except upon condition that I will promiſe to him that I ſhall be at bed and board with him as before, and that I ſhall leave him not after; and doing this upon my word he will do all things that I pleaſe, and come with me; but he prayed me to remain with him while another morning. He ſpake very bravely at the beginning, as this bearer will ſhew you, upon the purpoſe of the Engliſhmen, and of his departing; but in the end he returned again to his humility. He ſhewed amongſt other purpoſes that he knew well enough, that my brother had ſhewed me that thing which he had ſpoken in *Scriveling*; of the which he denies the one half, and above all, that ever he came in his chamber. For to make him truſt me, it behoved me to fain

in

in ſome things with him; therefore when he requeſted me to promiſe unto him, that when he was whole we ſhould have both one bed, I ſaid to him, fainingly and making me believe his promiſes, that if he changed not purpoſes betwixt this and that time, I would be content therewith; but in the mean time I bad him take heed that he let no body know thereof; becauſe to ſpeak amongſt our ſelves the Lords could not be offended, nor will evil therefore. But they would fear in reſpect of the boaſting he made of them, that if ever we agreed together, he ſhould make them know the little account they took of him; and that he counſelled me not to purchaſe ſome of them by him, they for this cauſe would be in jealouſie, if attains without their knowledge, I ſhould break the play ſet up in the contrary in their preſence. He ſaid very joyfully; and think you they will eſteem you the more for that? but I am very glad that you ſpeak to me of the Lords, for I believe at this time you deſire that we ſhould live together in quietneſs; for if it were otherways, greater inconveniency might come to us both then we are aware of; but now I will do what ever you will do, and will love all that you love, and deſires you to make them love in like manner; for ſince they ſeek not my life, I love them all equally. Upon this point the bearer will ſhew you many ſmall things. Becauſe I have over much to write,

and it is late, I give truſt unto him upon your word. So that he will go upon my word to all places. Alas, I never deceived any body; but I remit me altogether to your will. Send me advertiſement what I ſhall do, and whatſoever thing ſhall come thereof I ſhall obey you. Adviſe to with your ſelf if you can find out any more ſecret invention by medicine: For he ſhould take medicine and the *Bath* at *Cragmillar*. He may not come forth of the houſe this long time. So that by all that I can learn, he is in great ſuſpition; and yet notwithſtanding he gives credit to my word; but yet not ſo far as that he will ſhew any thing to me. But nevertheleſs I ſhall draw it out of him, if you will that I avow all unto him. But I will never rejoyce to defame any body that truſts in me; yet notwithſtanding you may command me in all things. Have no evil opinion of me for that cauſe, by reaſon you are the occaſion of it your ſelf, becauſe for mine own particular revenge I would not do it to him. He gives me ſome checks of that which I feared, yea even in the quick, he ſays thus far, that his faults were publiſht, but there is that commits faults that believe they will never be ſpoken of, and yet they will ſpeak of great and ſmall. As towards the Lady *Rereſe* he ſaid, I pray God that ſhe may ſerve you for your honour. And ſaid, it is thought, and he believes it to be true, that I have not the power of my ſelf over my ſelf,

and

and that becauſe of the refuſe I made of his offers. So that, for certainty he ſuſpects of the thing you know, and of his life. But as to the laſt, how ſoon that I ſpake two or three good words unto him, he rejoices, and is out of doubt. I ſaw him not this evening to end your bracelet, to the which I can get no locks, it is ready for them, and yet I fear it will bring ſome evil, and may be ſeen if you chance to be hurt. Advertiſe me if you will have it, and if you will have more ſilver, and when I ſhall return, and how far I may ſpeak. He inrages when he hears of *Lethington*, or of you, or of my brother, of your brother he ſpeaks nothing, he ſpeaks of the Earl of *Argyle*. I am in fear when I hear him ſpeak; for he aſſures himſelf that he has not one evil opinion of him. He ſpeaks nothing of them that is ought neither good or evil, but flies that point. His father keeps his chamber, I have not ſeen him. All the *Hamiltons* are here, that accompanies me very honourably. All the friends of the other conveys me when I go to ſee him. He deſires me to come, and ſee him riſe the morn betime. For to make ſhort, this bearer will tell you the reſt. And if I learn any thing here, I will make you a memorial at even. He will tell you the occaſion of my remaining. Burn this Letter, for it is over dangerous, and nothing well ſaid in it; for I am thinking upon nothing but fraud. If you be in *Edinburgh*

burgh at the receit of it, ſend me word ſoon. Be not offended, for I give not over great credit. Now ſeeing to obey you my dear Love, I ſpare neither honour, conſcience, hazard, nor greatneſs whatſoever, take it I pray in good part; and not after the interpretation of your falſe good brother; to whom I pray you give no credit, againſt the moſt faithful lover that ever you had, or ever ſhall have. *See not her whoſe faint tears ſhould not be ſo much praiſed nor eſteemed, as the true and faithful travels, which I ſuſtain for to merit her place. For obtaining of the which againſt my nature, I betray them that may impeach me.* God forgive me, and God give you, my only love, the hap and proſperity, which your humble and faithful love deſires of you, who hopes to be ſhortly another thing to you for the reward of my irkſome travels. It is late, I deſire never to ceaſe from writing unto you, yet now after the kiſſing of your hands, I will end my Letter. Excuſe my evil writing, and read it twice over. Excuſe that thing that is ſcribled, for I had no paper yeſterday when I writ that of the memorial. Remember your love, and write unto her, and that very oft. Love me as I ſhall do you. Remember you of the purpoſe of the Lady *Rereſe*, of the Engliſhmen, of his Mother, of the Earl of *Argyle*, of the

Huntley.

Bothwel's *own wife.*

the Earl *Bothwel*, of the lodging in *Edinburgh*.

Another Letter to *Bothwel*, concerning certain tokens that ſhe ſent him.

MOnſieur ſi l' envy de voſtre abſence, celuy de voſtre oubly, la crainte du danger, tant prove d' un chacun à voſtre tant amée perſonne, &c.

MY Lord if the diſpleaſure of your abſence, of your forgetfulneſs, the fear of danger ſo promiſed by every one to your ſo loved perſon, may give me conſolation, I leave it to you to judge, ſeeing the miſhap that my cruel lot and continual miſadventure, has hitherto promiſed me following the miſfortunes and fears as well of late as of a long time by-paſt, the which you do know. But for all that I will in no wiſe accuſe you, neither of your little remembrance, neither of your little care, and leaſt of all your promiſe broken, or of the coldneſs of your writing, ſince I am elſe ſo far made yours, that that which pleaſes you is acceptable to me, and my thoughts are ſo willingly ſubdued unto yours, that I ſuppoſe that all that cometh of you, proceeds not of any of the cauſes aforeſaid, but rather for ſuch as be juſt and reaſonable, and ſuch as I deſire my ſelf. Which is the final

nal order that you promiſed to take, for the ſurety and honourable ſervice of the only ſupporter of my life. For which alone I will preſerve the ſame, and without the which I deſire not but ſuddain death. And to teſtifie unto you how lowly I ſubmit me under your commandments. I have ſent you in ſign of homage by *Pareis* the ornament of the head, which is the chief guide of the other members. Inferring thereby, that by the ſeiſing of you in the poſſeſſion of the ſpoil of that which is principal, the remnant cannot be but ſubject unto you, and with conſenting of the heart. In place whereof ſince I have elſe left it unto you, I ſend unto you one ſepulture of hard ſtone coloured with black, ſawin with tears and bones. The ſtone I compare to my heart, that as it is carved in one ſure *ſepulture* or harbour of your commandments, and above all of your name and memory, that are therein incloſed, *as is my heart* in this ring never to come forth, while death grant unto you to one trophie of victory of my bones, as the ring is filled, in ſign you have made one full conqueſt of me, of mine heart, and unto that my bones are left unto you, in remembrance of your victory, and my acceptable love and willingneſs, for to be better beſtowed than I merit. The ameling that is about is black, which ſignifies the ſtedfaſtneſs of her

A head.

The Queen heir.

her that ſendeth the ſame. The tears are without number, ſo are the fears to diſpleaſe you, the tears for your abſence, the diſdain that I cannot be in outward effect yours, as I am without faintneſs of heart and ſpirit, and of good reaſon, though my merits were much greater than that of the moſt profit that ever was, and ſuch as I deſire to be, and ſhall take pains in conditions to imitate, for to be beſtowed worthily under your regiment. My only wealth receive therefore in as good part the ſame, as I have received your marriage with extreme joy, that which ſhall not part forth of my boſome while that marriage of our bodies be made in publick, as ſign of all that I either hope or deſire of bliſs in this world. Yet my heart, fearing to diſpleaſe you, as much in the reading hereof, as it delights me in the writing, I will make an end, after that I have kiſſed your hand, with as great affection as I pray God (O the only ſupporter of my life) to give you long and bleſſed life, and to me your good favour, as the only good that I deſire, and to the which I pretend. I have ſhewn unto this bearer that which I have learned, to whom I remit me, knowing the credit that you give him, as ſhe doth, that will be for ever unto you an humble and obedient lawful wife, that for ever dedicates unto you her heart, her body, without any change as unto him that I have made poſſeſſor of my heart, of which you may hold you aſſured,

aſſured, that unto the death ſhall no ways be changed, for evil nor good ſhall never make me go from it.

Another Letter to *Bothwel* of her love to him.

JAY veille plus tard la haut que je n' euſſe fait, ſi ce n' euſt eſté pour tirer ce que ce porteur vous dira, que je treuve là plus belle commodité pour excuſer voſtre affaire quice pourroit preſenter, &c.

I Have waked later there up then I would have done, if it had not been to draw ſomething out of him, which this bearer will ſhew you, which is the faireſt commodity, that can be offered to excuſe your affairs. I have promiſed to bring him to him in the morn. Put order to it if you find it good. Now Sir, I have broken my promiſe, becauſe you commanded me nether to write nor ſend unto you; yet I have not done this to offend you. And if you knew the fear that I have preſently, you would not have ſo many contrary ſuſpitions in your thought, which notwithſtanding I treat and cheriſh as proceeding from the thing in the world that I moſt deſire and ſeek faſteſt to have, which is your good grace. Of the which my behaviour

ſhall

ſhall aſſure me; as to me I ſhall never deſpair of it. And prays you according to your promiſe to diſcharge your heart unto me; otherwiſe I will think that my evil and the good handling of her that has not a third part of the faithful nor willing obedience unto you that I bear, has won againſt my will that advantage over me, which the ſecond love of *Jaſon* won. Not that I will compare you to one ſo unhappy as he was, nor yet my ſelf to one ſo unpitiful a woman as ſhe. Howbeit you cauſe me to be ſomewhat like unto her in any thing that touches you, or that may preſerve and keep you unto her, to whom only you appertain: If it be ſo that I may appropriate that which is won through faithful, yea only loving of you, as I do and ſhall do all the days of my life, for pain or evil that can come thereof. In recompence of the which, and of all the evils which you have been cauſe of to me, remember you upon the place here beſide. I crave with that you keep promiſe to me in the morn, but that we may meet together, and that you give no faith to ſuſpicions without the certainty of them. And I crave no other thing of God, but that you may know that thing that is in my heart, which is yours, and that he may preſerve you from all evil, at leaſt ſo long as I have life, which I repute not precious unto me, except in ſo far as it and I both are agreeable unto you, I am going to bed, and will

bid

bid you good night. Advertiſe me timely in the morning how you have fared, for I will be in pain until I get word. Make good watch; if the bird get out of the cage, or without her mate, as the *Turtle*, I ſhall remain alone to lament your abſence, how ſhort that ſoever it be. This letter will do, with a good heart, that thing which I cannot do myſelf, if it be not that I have fear that you are in ſleeping. I durſt not write this before *Joſeph*, *Baſtian*, and *Joachim*, that did but depart even when I began to write.

Another Letter to *Bothwel* concerning the departure of *Margaret Carwood*, who was privy, and a helper of all their love.

MON cœur helas! faut il que la follie d'une femme, dont vous cognoiſſez aſſez l'ingratitude vers moy, ſoit cauſe de vous donner depiaiſir, &c.

MY heart, alas, muſt the folly of a woman, whoſe unthankfulneſs toward me you do ſufficiently know, be occaſion of diſpleaſure unto you? conſidering that I could not have remedied thereunto without knowing it? And ſince that I perceive it, I could not tell it you, for that I knew

knew not how to govern my ſelf therein. For neither in that, nor in any other thing, will I take upon me to do any thing without knowledge of your will: Which I beſeech you let me underſtand; for I will follow it all my life, more willingly than you ſhall declare it to me. And if do not ſend me word this night what you will that I ſhall do, I will rid my ſelf of it, and hazard to cauſe it to be enterprized and taken in hand; which might be hurtful unto that whereunto both we do tend. And when ſhe ſhall be married, I beſeech you give me one, or elſe I will take ſuch as ſhall content you, for their conditions; but as for their tongues or faithfulneſs toward you, I will not anſwer. I beſeech you, that an opinion of another perſon be not hurtful in your mind to my conſtancy. Miſtruſt me, but then I will put you out of doubt and clear my ſelf. Refuſe it not, my dear life, and ſuffer me to make you ſome proof by my obedience, my faithfulneſs, conſtancy, and voluntary ſubjection, which I take for the pleaſanteſt good that I might receive, if you will accept it, and make no ceremony at it, for you could do me no greater outrage, nor give more mortal grief.

Another Letter ſent from *Sterling* to *Bothwel* concerning the practice for her raviſhment.

MOnſieur helas, pourquoy eſt voſtre fiance miſe en perſonne ſi indigne, pour ſoupconner ce qui eſt entierement voſtre. J'enrage, vous m'aviez promiſe, &c.

ALAS, my Lord, why is your truſt put in a perſon ſo unworthy, to miſtruſt that which is wholly yours? I am mad. You had promiſed me that you would reſolve all, and that you would ſend me word every day what I ſhould do, you have done nothing thereof. I advertiſed you well to take heed of your falſe Brother-in-law; he came to me, and without ſhewing me any thing from you, told me that you had willed him to write to you that that I ſhould ſay, and where and when you ſhould come to me, and that that you ſhould do touching him, and thereupon hath preached unto me that it was a fooliſh enterprize, and that with mine honour I could never marry you, ſeeing that being married, you did carry me away, and that his folks would not ſuffer it, and that the Lords would unſay themſelves, and would deny that they had ſaid. To be ſhort, he is all contrary. I told him,

that

that ſeeing I was come ſo far, if you not withdraw yourſelf of yourſelf, that no perſwaſion, nor death itſelf, ſhould make me fail of my promiſe. As touching the place, you are too negligent (pardon me) to remit yourſelf thereof unto me. Chuſe it yourſelf, and ſend me word of it. And in the mean time I am ſick, I will differ, as touching the matter it is too late. It was not long of me that you have not thought thereupon in time. And if you had not more changed your mind ſince mine abſence than I have, you ſhould not be now to ask ſuch reſolving. Well, there wanteth nothing of my part; and ſeeing that your negligence doth put us both in the danger of a falſe brother, if it ſucceed not well, I will never riſe again. I ſend this bearer unto you, for I dare not truſt your brother with theſe letters, nor with the buſineſs. He ſhall tell you in what ſtate I am, and judge you what amendment theſe new ceremonies have brought unto me. I would I were dead, for I ſee all goeth ill. You promiſed other manner of matter of your foreſeeing, but abſence hath power over you, who have two ſtrings to your bow. Diſpatch the anſwer, that I fail not, and put no truſt in your brother for this enterprize, for he hath told it, and is alſo quite againſt it. God give you good night. *Another Wife.*

Another Letter to *Bothwel*, for the practice and device to excuſe the raviſhing.

DU lieu & de l'heure je m'en rapporte à voſtre frere & à vous, je le ſuiuray & ne fauldray en rien de ma part. Il trouve beaucoup de difficultez, &c.

OF the place and the time, I remit my ſelf to your brother and to you. I will follow him, and will fail in nothing of my part. He findeth many difficulties: I think he doth advertiſe you thereof; and what he doth advertiſe you for the handling of himſelf. As for the handling of my ſelf, I heard it once well deviſed. Methinks that your ſervices, and the long amity, having the good will of the Lords, do well deſerve a pardon, if above the duty of a ſubject you advance yourſelf, not to conſtrain me, but to aſſure yourſelf of ſuch place nigh unto me, that other admonitions or foreign perſwaſions may not let me from conſenting to that that you hope your ſervice ſhall make you one day to attain: and to be ſhort, to make yourſelf ſure of the Lords, and free to marry: and that you are conſtrained for your ſurety, and to be able to ſerve me faithfully, to uſe an humble requeſt, joyned to an importune action. And to be ſhort, excuſe

yourſelf,

yourſelf, and perſwade them the moſt you can, that you are conſtrained to make purſuit againſt your enemies. You ſhall ſay enough, if the matter or ground do like you, and many fair words to *Ledinton*. If you like not the deed, ſend me word, and leave not the blame of all unto me.

Another Letter to *Bothwel* of the practice for her raviſhment, and to adviſe him to be ſtrange to do it.

MOnſieur depuis ma lettre eſcrit voſtre beau frere qui fuſt, en venu à moy fort triſte, & m' à demandé mon counſeil de ce qu'il feroit apres demain, &c.

MY Lord, ſince my letter written, your Brother-in-law that was, came to me very ſad, and both asked me my councel, what he ſhould do after to-morrow, becauſe there be many folks here, and among others the Earl of *Southerland*, who would rather die, conſidering the good they have ſo lately received of me, than ſuffer me to be carried away, they conducting me; and that he feared there ſhould ſome trouble happen of it: of the other ſide, that it ſhould be ſaid that he were unthankful to have betrayed me. I told him, that he ſhould have reſolved with you upon all that; and that he

ſhould avoid, if he could, thoſe that were moſt miſtruſted. He hath reſolved to write thereof to you of my opinion; for he hath abaſhed me to ſee him ſo unreſolved at the need. I aſſure myſelf, he will play the part of an honeſt man. But I have thought good to advertiſe you of the fear he hath, that he ſhould be charged and accuſed of treaſon, to the end that without miſtruſting him, you may be the more circumſpect, and that you may have the more power. For we had yeſterday more than three hundred horſe of his, and of *Leniſton*. For the honour of God be accompanied rather with more than leſs; for that is the principal of my care. I go to write my diſpatch, and pray God to ſend us an happy interview ſhortly. I write in haſte, to the end you may be adviſed in time.

Of the Bills of Proclamation and Combat ſet up by Bothwel, *and the Anſwers.*

IMMEDIATELY after the death of the King, who was murthered, and his houſe blown up with gun-powder, the 9th day of *February* in the night, 1567. Proclamation was made, That whoſoever could bewray the cruel murtherers of the King, ſhould have two thouſand pounds. Unto the which proclamation, reply was made, and ſet up privily upon the Toleboth door of *Edin-*

Edinburgh, the 16th of *February*, in this manner:

BECAUSE proclamation is made, that whoſoever will reveal the murtherers of the King ſhall have two thouſand pounds, I, who have made inquiſition by them that were the doers thereof, affirm that the committers of it were the Earl *Bothwel*, Maſter *James Balfoure*, the Parſon of *Flisk*, Mr. *David Chambers*, *Black* Mr. *John Spence*, who was principal deviſer of the murther, and the Queen aſſenting thereto, through the perſwaſion of the Earl *Bothwel*, and the witchcraft of the Lady *Bucklough*.

If this be not true ſpere at Gilbert Bawfoord.

UPON this, new proclamation was made the ſame day, deſiring the letter up of the ſaid bill to come and avow and ſubſcribe the ſame, and he ſhould have the ſum promiſed in the firſt proclamation, and further, according to his ability, and ſight of the Queen and her council.

THE anſwer thereunto was ſet up in the place aforeſaid, the morrow after, being the 19th of the ſame month.

FORSOMUCH as proclamation hath been made ſince the ſetting up of my firſt letter, deſiring me to ſubſcribe and avow the

ſame; for anſwer, I deſire the money to be conſigned into an evenly man's hand, and I I ſhall appear on *Sunday* next, with ſome four with me, and ſubſcribe my firſt letter, and abide thereat. And further, I deſire that Senior *Francis Baſtian*, and *Joſeph* the Queen's Goldſmith, be ſtay'd, and I ſhall declare what every man did in particular, with their complices.

To which bill no anſwer was made.

The 13th day of *April* the Earl *Bothwel* coming to the ſeſſions at *Edinburgh*, with an enſign diſplayed, and the ſtreets full of armed men of his faction, was arraigned for murther of the King, and acquit of the ſame by a perjured jury: Whereupon he ſet up a challenge to fight hand to hand with any man (being no perſon defamed) that would avow the matter.

Hereunto anſwer was made by another bill ſet up in the ſame place anon after.

That foraſmuch as the ſaid Earl *Bothwel* had ſet up a writing ſubſcribed with his own hand, whereby he did challenge any man (not defamed) that would or durſt ſay he was guilty of the King's death, and therewithal did give the lie in his throat to him that would avouch the quarrel; a Gentleman, and a man of good fame, did by thoſe preſents accept the offer and offers,

and

and would prove by the laws of arms that he was the chief author of that foul and horrible murther, albeit an inqueſt for fear of death had ſlightly quit him.

AND becauſe the King of *France* and the Queen of *England* had, by their Embaſſadors, deſired that trial and puniſhment might be had for the ſame, he moſt heartily therefore craved of their Majeſties, that they would deſire of the Queen his Sovereign, that by her conſent they might appoint the day and place within their dominions for the trial thereof, according to the law of arms, in their preſences, or in their deputies: Which day and place he promiſed by the faith of a Gentleman to appear at, and to his devoir, provided always that their Majeſties by open proclamation ſhall give aſſurance to him and to his company, to paſs and repaſs through their countries, without hurt or impediment What juſt cauſe he had to deſire the King of *France* and the Queen of *England* to be judges in the caſe, he remitted to the judgment of the readers and the hearers, warning by thoſe preſents the reſt of the murtherers to prepare themſelves, for they ſhould have the like offer made unto them, and their names given in writing, that they might be known unto all men.

The

The Confeſſions of John Habroun, *young* Talla, Dagleiſh *and* Pourie, *upon whom was juſtice executed the* 3*d of* January, *the year of God* 1567.

JOHN BOWTON confeſſed, that nine was at the deed doing, my Lord *Bothwel*, the Lord of *Ormiſton*, *Hob Ormiſton*, himſelf, *Talla*, *Dagliſh*, *Vilſon*, *Pourie*, and *French Paris*, and that he ſaw no more, nor knew of no other companies.

Item, HE knows no other but that, that he was blown in the air, for he was handled with no mens hands as he ſaw; and if it was, it was with others, and not with them.

Item, AS touching Sir *James Balfour*, he ſaw not his ſubſcription; but I warrant you he was the principal counſellor and deviſer.

Item, HE

Item, HE ſaid, I confeſs that it is the very providence of God that has brought me to his judgment, for I am led to it as an horſe to the ſtall; for I had ſhips provided to fly, but could not eſcape.

Item, HE ſaid, let no man do evil for counſel of great men, or their maſters, thinking they ſhall ſave them; for ſurely I thought that night that the deed was done, that although knowledge ſhould be got, no man durſt have ſaid it was evil done, ſeeing the hand writ, and acknowledging the Queen's mind thereto.

Item, SPEAKING of the Queen in the Tolebooth, he ſaid, God make all well; but the longer the dirt is hidden, it is the ſtronger. Who lives, our deaths will be thought no news.

Item, IN the concluſion he confeſſed, he was one of the principal doers of the death, and therefore was juſtly worthy of death; but he was aſſured of the mercy of God, who called him to repentance.

Item, TALLA confeſſed, *ut ſupra*, agreeing in all points as concerning the perſons, number, and blowing up into the air.

Item, HE affirmed, that in *Seton* my Lord *Bothwel* called on him, and ſaid, What thought you when you ſaw him blown in the air? Who anſwered, Alas, my Lord, why ſpeak you that? for whenever I hear ſuch a thing,

thing, the words wound me to death, as they ought to do you.

Item, THAT ſame time he ſaw Sir *James Balfour* put in his own name and his brother's unto my Lord *Bothwel*'s remiſſion.

Item, HE knew of the deed doing three or four days ere it was done, or thereabout.

Item, HE ſaid, After that I came to the Court I left the reading of God's word, and embraced vanity, and therefore has God juſtly brought this on me.

WHEREFORE let all men ſhun evil company, and to truſt not in men, for ready are we to embrace evil, as ready as tinder to receive fire. And further, in the Tolebooth he required *John Brand*, Miniſter of the Congregation, to paſs to my Lord *Lindſey*, and ſay, My Lord, heartily I forgive your Lordſhip, and alſo my Lord Regent, and all others, but ſpecially them that betrayed me to you; for I know if you could have ſaved me you would, deſiring as ye will anſwer before God at the latter day to do your diligence to bring the reſt who were the beginners of this work to juſtice, as ye have done to me; for ye know it was not begun in my head; but yet he praiſes God that his juſtice has begun at me, by the which he has called me to repentance.

Item, DAGLEISH ſaid, As God ſhall be my judge, I knew nothing of the King's death before it was done; for my Lord *Bothwel* going to his bed, after the taking off of his hoſe, which was ſtocked with velvet, *French Paris* came and ſpake with him, and after that he tarried on me for other hoſe and cloaths; and his riding cloak and ſword, which I gave him, and after that came up to the gate to the Lord *Ormiſton*'s lodging, and tarried for him, and thereafter that he paſſed to a place beſide the Black Friers, and came to the Slope of the Dyke, where he bid me ſtand ſtill; and as God ſhall be my judge, I knew nothing while I heard the blaſt of powder; and after this he came home, lay down in his bed, while Mr. *George Hacket* came and knocked at the door; and if I die for this, the which God judge me if I knew more, what ſhall be done to the deviſers, counſellors, ſubſcribers, and fortifiers of it?

Now

Now judge, Engliſhmen, *if it be good to change Queens.*

O uniting confounding!

When rude Scotland *has vomited up a poyſon, muſt fine* England *lick it up for a reſtorative?*

O vile indignity!

While your Queen's enemy liveth, her danger continueth. Deſperate neceſſity will dare the utmoſt.

O cruel mercy!

O ambition! fed with proſperity, ſtrengthned with indulgence, irritated with adverſity, not to be neglected, truſted, nor pardoned.

DE JURE

REGNI

APUD

SCOTOS.

Or a DISCOURSE concerning the due

Privilege of Government

IN THE

Kingdom of *SCOTLAND*,

In a DIALOGUE betwixt

GEORGE BUCHANAN

AND

THOMAS MAITLAND.

By the ſaid GEORGE BUCHANAN.

And tranſlated out of the Original *Latin* into *Engliſh* by a Perſon of Honour of the Kingdom of *Scotland.*

Printed in the Year M DCC XXI.

THE TRANSLATOR TO THE READER.

Candid Reader,

I HAVE preſumed to trouble your attention with the ceremony of a Preface; the end and deſign of which is not to uſher in my Tranſlation to the world with curious embelliſhments of Oratory (that ſerving only to gratify, or inchant a luxuriant fancy) but alleunarly to apologize for it, in

caſe a *Zoilus*, or a *Momus*, ſhall happen to peruſe the ſame. Briefly, then I reduce all that either of theſe will (as I humbly perceive) object againſt this my work, to theſe two generals, *prevarication* and *ignorance*. Firſt, they will call me a prevaricator, or prevaricating interpreter, and that upon two accounts. 1. Becauſe I have (ſay they) ſophiſticated the genuine ſenſe and meaning of the learned author, by interpreting and foiſting in ſpurious words of mine own. 2. That I have quite alienated the litteral ſenſe in other places by a too paraphraſtical expoſition. To the firſt I anſwer, that none are ignorant, that the original of this piece is a lofty *laconick* ſtile of latin: Now I once having undertaken *proviciam interpretis*, behoved to render my interpretation ſomewhat plain, and obvious which I could never do in ſome places, without adding ſome words (*claritatis gratia*) but always I ſought out the ſcope (as far as my ſhallow capacity could reach) and ſuited them thereunto. Wherein I am hopefull that no ingenious impartial Reader, not prepoſſeſſed with prejudice againſt the matter contained in the original, and conſequently againſt the tranſlation thereof, will find much matter of quarrel upon that account, if he will but take

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an overly view of the original, and ſo compare the Tranſlation therewith. For I have been very ſparing in adding ought of my own. To the ſecond branch of the firſt challenge I anſwer briefly; there are none who have the leaſt ſmattering of common ſenſe, but know well enough, that it is *morally impoſſible* for an Interpreter to make good language of any *Latin* piece, if he ſhall always *verbum verbo redere*; I mean, if he adhere ſo cloſe to the very rigour of original, as to think it illicite to uſe any *paraphraſe*, although the ſuccinctneſs and ſummary comprehenſiveneſs of the original ſtile even cry aloud for it, as it were; but to ſilence in a word theſe critical ſnarlers, where ever I have uſed any *paraphraſe*, I likewiſe have ſet down the expoſition *ad verbum* (to the beſt of my knowledge) as near as I could.

THE ſecond challenge is of *ignorance*, and that becauſe I have paſſed by ſome *Latin* verſes of *Seneca*, which are at the end of this *Dialogue*, containing the Stoicks deſcription of a * King, without tranſlating

* In this Edition 'tis tranſlated into *Engliſh* Verſe by a modern Hand.

them

them into *Engliſh.* Now, true it is I have done ſo, not becauſe I knew not how to interpret them (for I hope, candid Readers at leaſt will not ſo judge of me) but becauſe I thought it not requiſite to meddle with them, unleſs I could have put as ſpecious a luſtre upon them, as my pen would have pulled off them (for otherwiſe I would have greatly injured them) which could never be done without a ſublime vein of Poeſy, wherein I ingenuouſly profeſs ignorance: ſo that if the laſt challenge be thus underſtood, *tranſeat*, becauſe

Nec fonte labra prolui Cabalino,
Nec in bicipiti ſomniaſſe Parnaſſo,
Memini ut repente ſic Poeta prodirem.

And hence it is, that all the *Latin* verſes, which occur in this *Dialogue*, are by me tranſlated into proſe, as the reſt: But I fear I have wearied your patience too long already, and therefore I will go no further; I wiſh you ſatisfaction in the Book, and ſo

Vive & Vale.

GEORGE

GEORGE BUCHANAN,

TO

King *JAMES*

THE

Sixth of that name, King of Scots, *wiſheth all health and happineſs.*

I *Wrote ſeveral years ago, when amongſt us affairs were very turbulent, a Dialogue of the right of the* Scots *Kings, wherein I endeavoured to explain from the very beginning (if I may*

ſo ſay) what right, or what authority both Kings and People have one with another. Which book, when for that time it ſeemed ſomewhat profitable, as ſhutting the mouths of ſome, who more by importunat clamours at that time, than what was right, inveighed againſt the courſe of affairs, requiring they might be levelled according to the rule of right reaſon; but matters being ſomewhat more peaceable, I alſo having laid down my arms, very willingly devoted my ſelf to publick concord. Now having lately fallen upon that diſputation, which I found amongſt my papers, and perceiving therein many things which might be neceſſary for your age, (eſpecially you being placed in that part of human affairs) I thought good to publiſh it, that it might be a ſtanding witneſs of mine affection towards you, and admoniſh you of your duty towards your Subjects. Now many things perſwaded me that this my endeavour ſhould not be in vain; eſpecially your age not yet corrupted by prave opinions, and inclination far above your years for undertaking all heroical and noble attempts, ſpontaneouſly making haſt thereunto, and not only your promptitude in obeying your Inſtructors and Governours, but all ſuch as give

you

you ſound admonition, and your judgment and diligence in examining affairs, ſo that no mans authority can have much weight with you, unleſs it be confirmed by probable reaſon. I do perceive alſo, that you by a certain natural inſtinct do ſo much abhor flattery, which is the nurſe of Tyranny, and a moſt grievous plague of a Kingdom, ſo as you do hate the Court ſolæciſmes and barbariſmes no leſs, than thoſe that ſeem to cenſure all elegancy, do love and affect ſuch things, and every where in diſcourſe ſpread abroad, as the ſauce thereof, theſe titles of Majeſty, Highneſs, and many other unſavory compellations. Now albeit your good natural diſpoſition, and ſound inſtructions, wherein you have been principled, may at preſent draw you away from falling into this error, yet I am forced to be ſome what jealous of you, leſt bad company, the fawning foſter-mother of all vices, draw a-ſide your ſoft and tender mind into the worſt part; eſpecially ſeeing I am not ignorant, how eaſily our other ſenſes yeild to ſeduction. This book therefore I have ſent unto you to be not only your monitor, but alſo an importunat and bold exactor, which in this your tender and flexible years may conduct you

in ſafety from the rocks of flattery, and not only may admoniſh you, but alſo keep you in the way you are once entred into; and if at any time you deviate, it may reprehend and draw you back, the which if you obey, you ſhall for your ſelf and for all your Subjects acquire tranquility and peace in this life, and eternal glory in the life to come. Farewell, from Stirveling, *the tenth day of* January, *in the year of man's ſalvation, one thouſand five hundred ſeventy nine.*

A

DIALOGUE

Concerning the

RIGHT of GOVERNMENT amongſt the SCOTS.

BETWEEN

GEORGE BUCHANAN,

AND

THOMAS MAITLAND.

THOMAS MAITLAND being of late returned home from *France*, and I ſeriouſly enquiring of him the ſtate of affairs there, began (for the love I bear to him) to exhort him to continue in that courſe he had taken to honour, and to entertain that excellent hope in

the progreſs of his ſtudies. For if I, being but of an ordinary ſpirit, and almoſt of no fortune, in an illiterate age, have ſo wreſtled with the iniquity of the times, as that I ſeem to have done ſomewhat: then certainly they who are born in a more happy age, and who have maturity of years, wealth and pregnancy of ſpirit, ought not to be deterred by pains from noble deſigns, nor can ſuch deſpair being aſſiſted by ſo many helps. They ſhould therefore go on with vigour to illuſtrate learning, and to commend themſelves and thoſe of their nation to the memory of after ages, and poſterity, yea if they would but beſtir themſelves herein ſomewhat actively, it might come to paſs, that they would eradicate out of men's minds that opinion, that men in the cold regions of the world, are at as great diſtance from learning, humanity, and all endowments of the mind, as they are diſtant from the ſun. For as nature hath granted to the *Affricans*, *Egyptians*, and many other nations more ſubtle motions of the mind, and a greater ſharpneſs of wit, yet ſhe hath not altogether ſo far caſt off any Nation, as to ſhut up from it an entry to vertue and honour. Hereupon, whilſt he did ſpeak meanly of himſelf (which is his modeſty) but of me more affectionately than truly: At laſt the tract of diſcourſe drew us on ſo far as I judged convenient for that time; I began by courſe to ask him, what was the opinion of

the

the *Frenche* or other nations with whom he had converſed in *France*, concerning our affairs? For I did not queſtion, but that the novelty of affairs (as is uſual) would give occaſion and matter of diſcourſe thereof to all. Why (ſaith he) do you deſire that of me? For ſeeing you are well acquainted with the courſe of affairs, and is not ignorant what the moſt part of men do ſpeak, and what they think, you may eaſily gueſs in your own conſcience, that is, or at leaſt ſhould be the opinion of all.

B. But the farther that foreign nations are at a diſtance, they have the leſs cauſes of wrath, hatred, love and other perturbations, which may divert the mind from truth, and for the moſt part they ſo much the more judge of things ſincerely, and freely ſpeak out what they think: That very freedom of ſpeaking and conferring the thoughts of the heart doth draw forth many obſcure things, diſcovers intricacies, confirm doubts, and may ſtop the mouths of wicked men, and teach ſuch as are weak.

M. Shall I be ingenious with you?

B. Why not?

M. Although I had a great deſire after ſo long a time, to viſit my native country, parents, relations, and friends, yet nothing did ſo much inflame my deſire, as the clamour of a rude multitude: For albeit I thought my ſelf well enough fortified either

by my own conſtant practice, or the moral precepts of the moſt learned, yet when I came to fall upon the preſent caſe, I know not how I could conceal my puſillanimity. For when that horrid villany not long ſince here perpetrate, all with one voice did abominate it, the author hereof not being known; the multitude which is more acted by precipitancy, than ruled by deliberation, did charge the fault of ſome few upon all; and the common hatred of a particular did redound to the whole nation, ſo that even ſuch as were moſt remote from any ſuſpicion, were inflamed with the infamy of men's crimes. When therefore this ſtorm of calumny was calmed, I betook my ſelf very willingly in this port, wherein notwithſtanding I am afraid, I may daſh upon a rock.

B. WHY, I pray you?

M. BECAUSE the atrociouſneſs of that late crime doth ſeem ſo much to inflame the minds of all already exaſperate, that now no place of apology is left. For, how ſhall I be able to ſuſtain the impetuous aſſaults, not only of the weaker ſort, but alſo of thoſe who ſeem to be more ſagacious, who will exclaim againſt us, that we were content with the ſlaughter of an harmleſs youth, an unheard of cruelty, unleſs we ſhould ſhew another new example of atrocious cruelty againſt women, which ſex very enemies do ſpare when cities are taken in by force. Now from

what

what villany will any dignity or Majeſty deter thoſe, who thus rage againſt Kings? Or what place for mercy will they leave, whom neither the weakneſs of ſex, not innocency of age will reſtrain? equity, cuſtom, laws, the reſpect to Sovereignty, reverence of lawful Magiſtracy, which hence-forth they will ether retain for ſhame, or coerce for fear, when the power of ſupream authority is expoſed to the ludibry of the baſeſt of the people, the difference of equity and iniquity, of honeſty and diſhoneſty being once taken away, almoſt by a publick conſent, there is a degeneracy into cruel barbarity. I know I ſhall hear theſe, and more atrocious than theſe ſpoken how ſoon I ſhall return into *France* again; all mens ears in the mean time being ſhut from admitting any apology or ſatisfaction.

B. But I ſhall eaſily liberate you of this fear, and our nation from that falſe crime. For, if they do ſo much deteſt the atrociouſneſs of the firſt crime, how can they rationally reprehend ſeverity in revenging it? Or if they take it ill, that the Queen is taken order with, they muſt needs approve the firſt deed; chooſe you then, which of the two would you have to ſeem cruel. For neither they nor you can praiſe or reproach both, provided you underſtand your ſelves.

M. I do indeed abhor and deteſt the King's murther, and am glad that the nation is free of

of that guilt, and that it is charged upon the wickedneſs of ſome few. But this laſt fact I can neither allow nor diſallow, for it ſeems to me a famous and memorable deed, that by counſel and diligence they have ſearched out that villany, which ſince the memory of man is the moſt heinous, and do purſue the perpetrators in a hoſtile manner. But in that they have taken order with the chief Majeſtrate, and put contempt upon Sovereignty, which amongſt all nations hath been always accounted great and ſacred. I know not how all the nations of *Europe* will reliſh it, eſpecially ſuch as live under kingly Government; ſurely the greatneſs and novelty of the fact doth put me to a demur, albeit I am not ignorant what may be pretended on the contrary, and ſo much the rather, becauſe ſome of the Actors are of my intimate acquaintance.

B. Now I almoſt perceive, that it doth perhaps not trouble you ſo much, as thoſe of foreign nations, who would be judges of the vertues of others to whom you think ſatisfaction muſt be given. Of theſe I ſhall ſet down three ſorts eſpecially, who will vehemently enveigh againſt that deed. The firſt kind is moſt pernicious, wherein thoſe are, who have mancipated themſelves to the luſts of Tyrants, and think every thing juſt and lawful for them to do, wherein they may gratifie Kings, and meaſure every thing not as it is in it

it ſelf, but by the luſt of their Maſters. Such have ſo devoted themſelves to the luſts of others, that they have left to themſelves no liberty either to ſpeak or do. Out of this crew have proceeded thoſe, who have moſt cruelly murthered that innocent youth, without any cauſe of enmity, but through hope of gain, honour, and power at Court to ſatisfie the luſt of others. Now whilſt ſuch feign to be ſorry for the Queen's caſe, they are not grieved for her misfortunes, but look for their own ſecurity, and take very ill to have the reward of their moſt heinous crime, (which by hope they ſwallowed down) to be pulled out of their throat. I judge therefore that this kind of men ſhould not be ſatisfied ſo much by reaſoning, as chaſtiſed by the ſeverity of laws, and force of arms. Others again are all for themſelves; theſe men, tho' otherwiſe not malicious, are not grieved for the publick calamity (as they would ſeem to be) but for their own domeſtick damages, and therefore they ſeem to ſtand in need rather of ſome comfort, than of the remedies of perſwaſive reaſoning and laws. The reſt is the rude multitude, which doth admire at all novelties, reprehend many things, and think nothing is right, but what they themſelves do or ſee done; for how much any thing done doth incline from an ancient cuſtom, ſo far they think it is fallen from juſtice and equity. And becauſe theſe be not led

led by malice and envy, nor yet by ſelf-intereſt, the moſt part will admit information, and to be weaned from their errour, ſo that being convinced by the ſtrength of reaſon, they yeild: Which in the matter of Religion, we find by experience very often in theſe days, and alſo have found it in preceeding ages. There is almoſt no man ſo wild, that cannot be tamed, if he will but patiently hearken to inſtruction.

M. SURELY we have found oftentimes that very true.

B. WHEN you therefore deal with this kind of People ſo clamorous and very importunat, aſk ſome of them, what they think concerning the puniſhment of *Caligula*, *Nero* or *Domitian*, I think there will be none of them ſo addicted to the name *King*, that will not confeſs, they were juſtly puniſhed.

M. PERHAPS you ſay right, but theſe very ſame men will forthwith cry out, that they complain not of the puniſhment of Tyrants, but are grieved at the ſad calamities of lawful Kings.

B. DO you not then perceive how eaſily the people may be pacified?

M. NOT indeed, unleſs you ſay ſome other thing.

B. BUT I ſhall cauſe you underſtand it in few words, the people (you ſay) approve the murther of Tyrants, but compaſſionate the misfortune of Kings, would they not then change

change their opinion, if they clearly underſtood what the difference is betwixt a Tyrant and a King? Do you not think that this might come to paſs, as in many other caſes?

M. If all would confeſs that Tyrants are juſtly killed, we might have a large entry made open to us for the reſt, but I find ſome men, and theſe not of ſmall authority, who while they make Kings liable to the penalties of the Laws, yet they will maintain Tyrants to be ſacred perſons; but certainly by a prepoſterous judgment, if I be not miſtaken, yet they are ready to maintain their Goverment, albeit immoderate and intolerable, as if they were to fight for things both ſacred and civil.

B. I have alſo met with ſeveral Perſons oftentimes, who maintain the ſame very pertinaciouſly; but whether that opinion be right or not, we ſhall farther diſcuſs it hereafter at better conveniency. In the mean time, if you pleaſe, let us conclude upon this, upon condition, that unleſs hereafter it be not ſufficiently confirmed unto you, you may have liberty to retract the ſame.

M. On theſe terms indeed I will not refuſe it.

B. Let us then conclude theſe two to be contraries a *King* and a *Tyrant*.

M. Be it ſo.

B. He therefore that ſhall explain the original and cauſe of creating Kings, and what

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the duties of Kings are towards their people, and of people towards their Kings, will he not ſeem to have almoſt explained on the other hand, what doth pertain to the nature of a Tyrant.

M. I think ſo.

B. THE repreſentation then of both being laid out, do you not think that the people will underſtand alſo, what their duty is towards both?

M. IT is very like they will.

B. NOW contrary wiſe, in things that are very unlike to one another, which yet are contained under the ſame *genus*, there may be ſome ſimilitudes, which may eaſily induce imprudent perſons into an errour.

M. DOUBTLESS, there may be ſuch, and eſpecially in the ſame kind, where that which is the worſt of the two doth eaſily perſonate the beſt of both, and ſtudies nothing more, than to impoſe the ſame upon ſuch as are ignorant.

B. HAVE you not ſome repreſentation of a King and of a Tyrant impreſſed in your mind? For if you have it, you will ſave me much pains.

M. INDEED I could eaſily expreſs what *Idea* I have of both in my mind, but I fear, it may be rude and without form; therefore I rather deſire to hear what your opinion is, leſt whilſt you are a refuting me, our diſcourſe become more prolix, you being both

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in age and experience above me; and are well acquaint not only with the opinions of others, but alſo have ſeen the cuſtoms of many, and their Cities.

B. I ſhall then do it, and that very willingly, yet will I not unfold my own opinion ſo much, as that of the Ancients, that thereby a greater authority may be given to my diſcourſe, as not being ſuch as is made up with reſpect to this time, but taken out of the opinions of thoſe, who not being concerned in the preſent controverſie, have no leſs eloquently, than briefly, given their judgment, without hatred, favour, or envy, whoſe caſe was far from theſe things; and their opinions I ſhall eſpecially make uſe of, who have not frivolouſly trifled away their time, but by vertue and counſel have flouriſhed both at home and abroad in well governed common-wealths. But before I produce theſe witneſſes, I would ask you ſome few things of no ſmall importance, that there may be no neceſſity to digreſs from the purpoſe in hand, nor to ſtay in explaining or confirming things that are perſpicuous and well known.

M. I think we ſhould do ſo, and if you pleaſe, ask me.

B. Do you not think that the time hath been, when men did dwell in cottages, yea and in caves, and as ſtrangers did wander to and fro without Laws, or certain dwelling places, and did aſſemble together as their fond humours

mours did lead them, or as ſome commodity, and common utility did allure them?

M. FORSOOTH I believe that; ſeeing it is conſonant to the courſe and order of nature, and is teſtified by all the Hiſtories of all nations almoſt, for *Homer* doth deſcribe the repreſentation of ſuch a wild and barbarous kind of life in *Sicily*, even in the time of the *Trojans*. Their Courts (ſaith he) do neither abound with Councils nor Judges, they dwell only in darkſome caves, and every one of them in high mountains ruleth his own houſe, wife and children, nor is any of them at leiſure to communicate his domeſtick affairs to any other. About the ſame time alſo *Italy* is ſaid to be no better civiliſed, as we may eaſily conjecture from the moſt fertile regions almoſt of the whole world, how great the ſolitude and waſtneſs there was in places on this ſide of *Italy*.

B. BUT whether do you think the vagrant and ſolitary life, or the aſſociations of men civilly incorporate, moſt agreeable to nature?

M. THE laſt without peradventure, which *utility* the mother almoſt of juſtice and equity did firſt convocat, and commanded to give ſigns or warnings by ſound of trumpet, and to defend themſelves within walls, and to ſhut the gates with one key.

B. BUT, do you think that *utility* was the firſt and main cauſe of the aſſociation of men?

M. WHY

M. WHY not, ſeeing I have heard from the learned, that men are born for men?

B. UTILITY indeed in ſome ſeems very efficacious, both in beginning and conſerving the publick ſociety of mankind; but if I miſtake not, there is a far more venerable, or ancient cauſe of mens aſſociating, and a more antecedaneous and ſacred bond of their civil community, otherwiſe, if every one would have a regard to his own private advantage, then ſurely that very utility would rather diſſolve than unite human ſociety together.

M. PERHAPS that may be true, therefore I deſire to know what other cauſe you will aſſign.

B. A certain inſtinct of nature, not only in man, but alſo in the more tamed ſort of beaſts, that although theſe allurements of utility be not in them, yet do they of their own accord flock together with other beaſts of their own kind: but of theſe others we have no ground of debate; ſurely we ſee this inſtinct by nature ſo deeply rooted in man, that if any one had the affluence of all things, which contribute either for maintaining health, or pleaſure and delight of mind, yet he will think his life unpleaſant without human converſe. Yea, they who out of a deſire of knowledge, and an endeavour of inveſtigating the truth, have withdrawn themſelves from the multitude, and retired to ſecret cor-

ners, could not long endure a perpetual vexation of mind, nor, if at any time they ſhould remit the ſame, could they live in ſolitude, but very willingly did bring forth to light their very ſecret ſtudies, and as they had laboured for the publick good, they did communicate to all the fruit of their labour. But if there be any man who doth wholly take delight in ſolitude, and flee from converſe with men, and ſhun it, I judge it doth rather proceed from a diſtemper of the mind, than from any inſtinct of nature, ſuch as we have heard of *Timon* the *Athenian*, and *Bellerophon* the *Corinthian*, who (as the Poet ſaith) was a wandering wretch on the *Elean* coaſt, eating his own heart, and fleeing the very footſteps of men.

M. I do not in this much diſſent from you, but there is one word *nature* here ſet down by you, which I do often uſe rather out of cuſtom, than that I underſtand it, and is by others ſo variouſly taken, and accommodate to ſo many things, that for the moſt part I am at a ſtand to what I may mainly apply it.

B. FORSOOTH at preſent I would have no other thing to be underſtood thereby, than that *LIGHT infuſed by God into our minds*, for when God formed that creature more *ſacred*, and capable of a *celeſtial mind*, and which might have dominion over the other creatures, he gave not only *eyes* to his Body, whereby

whereby he might evite things contrary to his condition, and follow after ſuch as might be uſeful, but alſo he produced *in his mind a certain LIGHT*, whereby he might diſcern things filthy from honeſt; this *light* ſome call *nature*, others *the Law of nature*, for my own part, truly I think it is of a *Heavenly ſtamp*, and I am fully perſwaded, that *nature* doth never ſay one thing, and *wiſdom* another. Moreover, God hath given us an abridgment of that *LAW*, which might contain the whole in few words, *viz.* That *we ſhould love him with all our ſoul, and our Neighbours as our ſelves*, all the books of holy Scripture which treat of ordering our *converſation*, do contain nothing elſe but an explication of this Law.

M. You think then that no Orator or Lawyer, who might congregate diſperſed men, hath been the Author of human ſociety, but God only?

B. It is ſo indeed, and with *Cicero*, I think there is nothing done on earth more acceptable to the great God, who rules the world, than the aſſociations of men legally united, which are called *Civil incorporations*, whoſe ſeveral parts muſt be as compactly joined together, as the ſeveral members of our Body, and every one muſt have their proper function, to the end there may be a mutual co-operating for the good of the whole, and a mutual propelling of injuries, and a foreſeeing

ſeeing of advantages, and theſe to be communicate for engaging the benevolence of all amongſt themſelves.

M. YOU do not then make utility, but that *divine Law* rooted in us from the beginning, to be the cauſe (indeed the far more worthy and divine of the two) of mens incorporating in political Societies.

B. I mean not indeed that to be the Mother of Equity and Juſtice, as ſome would have it, but rather the handmaid, and to be one of the guards in cities well conſtitute.

M. HEREIN I alſo agree with you.

B. NOW as in our bodies conſiſting of contrary elements, there are diſeaſes, that is, perturbations, and ſome inteſtine tumults, even ſo there muſt be of neceſſity in theſe greater bodies, that is in Cities, which alſo conſiſt of various, (yea and for the moſt part) contrary humours, or ſorts of men, and theſe of different ranks, conditions and natures, and which is more, of ſuch as cannot remain one hour together approving the ſame things; and ſurely ſuch muſt needs ſoon diſſolve and come to nought; if one be not adhibited, who as a Phyſician may quiet ſuch diſturbances, and by a moderate and wholeſome temperament confirm the infirm parts and compeſſce redundant humours, and ſo take care of all the members, that the weaker may not languiſh for want of nutrition, nor the ſtronger become luxuriant too much.

M. TRULY

M. TRULY, it muſt needs be ſo.

B. HOW then ſhall we call him who performeth theſe things in a civil Body?

M. I am not very anxious about his name, for by what name ſoever he be called, I think he muſt be a very excellent and divine perſon, wherein the wiſdom of our Anceſtors ſeemeth to have much foreſeen, who have adorned the thing in it ſelf moſt illuſtrious with an illuſtrious name. I ſuppoſe you mean the *King*, of which word there is ſuch an *emphaſis*, that it holds forth before us clearly a function in it ſelf very great and exeellent.

B. YOU are very right, for we deſign God by that name. For we have no other more glorious name, whereby we may declare the excellency of his glorious nature, nor more ſuitable, whereby to ſignifie his paternal care and providence towards us. What other names ſhall I collect, which we tranſlate to denote the function of a King? Such as Father *Æneas*, *Agamemnon*, paſtor of the people, alſo a Leader, Prince, Governour. By all which names ſuch a ſignification is implied, as may ſhew that Kings are not ordained for themſelves, but for the people. Now as for the name we agree well enough; if you pleaſe, let us confer concerning the function, inſiſting in the ſame footſteps we began upon.

M. WHICH, I pray?

B. DO you remember what hath been lately ſpoken, that an incorporation ſeemeth to

be very like our body, civil commotions like to diſeaſes, and a King to a Phyſician? If therefore we ſhall underſtand what the duty of a Phyſician is, I am of the opinion, we ſhall not much miſtake the duty of a King.

M. IT may be ſo, for the reſt you have reckoned are very like, and ſeem to me very near in kin.

B. DO not expect that I will here deſcribe every petty thing, for the time will not permit it, neither doth the matter in hand call for it; but if briefly theſe agree together, you ſhall eaſily comprehend the reſt.

M. GO on then, as you are doing.

B. THE ſcope ſeemeth to be the ſame to us both.

M. WHICH?

B. THE health of the body, for curing of which they are adhibited.

M. I underſtand you, for the one ought to keep ſafe the human body in its ſtate, and the other the civil body in its ſtate, as far as the nature of each can bear, and to reduce into perfect health the body diſeaſed.

B. YOU underſtand very well, for there is a twofold duty incumbent to both, the one is to preſerve health, the other is to reſtore it, if it become weak by ſickneſs.

M. I aſſent to you.

B. FOR the diſeaſes of both are a like.

M. IT ſeemeth ſo.

B. FOR

B. FOR the redundance of things hurtful, and want or ſcarcity of things neceſſary are alike noxious to both, and both the one and the other body is cured almoſt in the ſame manner, namely either by nouriſhing that which is extenuate and tenderly cheriſhing it, or by aſſwaging that which is full and redundant by caſting out ſuperfluities, and exerciſing the body with moderate labours.

M. IT is ſo, but here ſeems to be the difference, that the humours in the one, and manners in the other are to be reduced into a right temperament.

B. YOU underſtand it well, for the body politick as well as the natural hath its own proper temperament, which I think very rightly we may call Juſtice. For it is that which doth regard every member, and cureth it ſo as to be kept in its function. This ſometimes is done by letting of blood; ſometimes by the expelling of hurtful things, as by egeſtion; and ſometimes exciting caſt-down and timorous minds, and comforting the weak, and ſo reduceth the whole body into that temperament I ſpoke of; and being reduced, exerciſeth it with convenient exerciſes, and by a certain preſcribed temperature of labour and reſt, doth preſerve the reſtored health as much as can be.

M. ALL the reſt I eaſily aſſent to, except that you place the temperament of the body politick in Juſtice; ſeeing temperance even

by its very name and profeſſion doth juſtly ſeem to claim theſe parts.

B. I think it is no great matter on which of them you confer this honour. For ſeeing all vertues, whereof the ſtrength is beſt perceived in action, are placed in a certain mediocrity and equability, ſo are they in ſome meaſure connected amongſt themſelves, and cohere, ſo as it ſeems to be but one office in all, that is, the moderation of luſts. Now in whatſoever kind this moderation is, it is no great matter how it be denominate; albeit that moderation, which is placed in publick matters, and mens mutual commerces, doth ſeem moſt fitly to be underſtood by the name of *Juſtice*.

M. HEREIN I very willingly aſſent to you.

B. IN the creation of a King, I think the ancients have followed this way, that if any among the citizens were of any ſingular excellency, and ſeemed to exceed all others in equity and prudence, as is reported to be done in bechives, they willingly conferred the government or kingdom on him.

M. IT is credible to have been ſo.

B. BUT what if none ſuch as we have ſpoken of, ſhould be found in the city?

M. BY that law of nature, whereof we formerly made mention, equals neither can, nor ought to uſurp dominion; for by nature I think it juſt, that amongſt theſe that are

equal

equal in all other things, their courſe of ruling and obeying ſhould be alike.

B. WHAT if a people, wearied with yearly ambition be willing to elect ſome certain Perſon not altogether endowed with all royal vertues, but either famous by his noble deſcent, or warlike valour? Will you not think that he is a lawful King?

M. MOST lawful, for the people have power to confer the Government on whom they pleaſe.

B. WHAT if we ſhall admit ſome acute man, yet not endowed with notable skill, for curing diſeaſes? ſhall we preſently account him a Phyſician, as ſoon as he is choſen by all?

M. NOT at all; for by learning and the experience of many arts, and not by ſuffrages is a man made a Phyſician.

B. WHAT maketh artiſts in other arts?

M. I think there is one reaſon of all.

B. DO you think there is any art of reigning or not?

M. WHY not?

B. CAN you give me a reaſon why you think ſo?

M. I think I can, namely that ſame which is uſually given in other Arts.

B. WHAT is that?

M. BECAUSE the beginnings of all Arts proceed from experience. For whilſt many did raſhly and without any reaſon undertake

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to treat of many things, and others again through exercitation and conſuetude did the ſame more ſagaciouſly, noticing the events on both hands, and perpending the cauſes thereof, ſome acute men have digeſted a certain order of precepts, and called that deſcription an art.

B. THEN, by the like animadverſion, may not ſome art of reigning be deſcribed, as well as the art of phyſick?

M. I think there may.

B. OF what precepts ſhall it conſiſt?

M. I do not know at preſent.

B. WHAT if we ſhall find it out by comparing it with other arts?

M. WHAT way?

B. THIS way: There be ſome precepts of grammar, of phyſick and husbandry.

M. I underſtand.

B. SHALL we not call theſe precepts of Grammarians and Phyſicians arts and laws alſo, and ſo of others.

M. IT ſeems indeed ſo.

B. DO not the civil laws ſeem to be certain precepts of royal art?

M. THEY ſeem ſo.

B. HE muſt therefore be acquainted therewith, who would be accounted a King.

M. IT ſeems ſo.

B. WHAT if he have no skill therein? Albeit the people ſhall command him to reign, think you that he ſhould be called a King?

M. YOU

M. YOU cauſe me here to heſitate: For if I would conſent with the former diſcourſe, the ſuffrages of the people can no more make him a King, than any other artiſt.

B. WHAT think you ſhall then be done? For unleſs we have a King choſen by ſuffrages, I am afraid we ſhall have no lawful King at all.

M. AND I fear alſo the ſame.

B. WILL you then be content that we more accurately examine what we have laſt ſet down in comparing arts one with another?

M. BE it ſo, if it ſo pleaſe you.

B. HAVE we not called the precepts of artiſts in their ſeveral arts, laws?

M. WE have done ſo.

B. BUT I fear we have not done it circumſpectly enough.

M. WHY?

B. BECAUSE he would ſeem abſurd who had skill in any art, and yet not to be an artiſt.

M. IT were ſo.

B. BUT he that doth perform what belongs to an art, we will account him an artiſt, whether he do it naturally, or by ſome perpetual and conſtant tenour and faculty.

M. I think ſo.

B. WE ſhall then call him an artiſt, who knows well this rational and prudent way of doing

doing any thing well, providing he hath acquired that faculty by conſtant practice.

M. MUCH better than him who hath the bare precepts, without uſe and exercitation.

B. SHALL we not then account theſe precepts to be art?

M. NOT at all; but a certain ſimilitude thereof, or rather a ſhadow of art.

B. WHAT is then that governing faculty of cities, which we ſhall call civil art or ſcience?

M. IT ſeems you would call it prudence: Out of which, as from a fountain or ſpring, all laws, provided they be uſeful for the preſervation of humane ſociety, muſt proceed, and be derived.

B. YOU have hit the nail on the head; if this then were compleat and perfect in any perſon, we might ſay he were a King by nature, and not by ſuffrages, and might reſign over to him a free power over all things; but if we find not ſuch a man, we ſhall alſo call him a King, who doth come neareſt to that eminent excellency of nature, embracing in him a certain ſimilitude of a true King.

M. LET us call him ſo, if you pleaſe.

B. AND becauſe we fear he be not firm enough againſt inordinate affections, which may, and for the moſt part uſe to decline men from truth, we ſhall adjoyn to him the law,

law, as it were a Colleague, or rather a bridler of his luſts.

M. You do not then think that a King ſhould have an arbitrary power over all things?

B. Not at all: For I remember, that he is not only a King, but alſo a man, erring in many things by ignorance, often failing willingly, doing many things by conſtraint; yea a creature eaſily changeable at the blaſt of every favour or frown, which natural vice a magiſtrate uſe alſo to increaſe: So that here I chiefly find that of the Comedy made true, *All by licence become worſe.* Wherefore the moſt prudent have thought it expedient to adjoyn to him a law, which may either ſhew him the way, if he be ignorant, or bring him back again into the way, if he wander out of it: By theſe, I ſuppoſe, you underſtand, as in a repreſentation, what I judge to be the duty of a true King.

M. Of the cauſe of creating Kings, of their name and duty you have fully ſatisfied me. Yet I ſhall not repine, if you pleaſe to add ought thereto: Albeit my mind doth haſten to hear what yet ſeems to remain, yet there is one thing which in all your diſcourſe did not a little offend me, which I think ſhould not be paſt over in ſilence, *viz.* that you ſeem ſomewhat injurious to Kings, and this very thing I did ſuſpect in you frequently before, whilſt I often heard you ſo profuſely

fuſely commend the antient Common wealths, and the City of *Venice*.

B. You did not rightly herein judge of me: For I do not ſo much look to the different form of civil Government (ſuch as was amongſt the *Romans*, *Maſſilians*, *Venetians*, and others, amongſt whom the authority of laws were more powerful, than that of men) as to the equity of the form of Government; nor do I think it matters much, whether King, Duke, Emperour, or Conſul, be the name of him who is the chiefeſt in authority, provided this be granted, that he is placed in the magiſtracy for the maintenance of equity; for if the government be lawful, we muſt not contend for the name thereof: For he whom we call the Duke of *Venice* is is nothing elſe but a lawful King; and the firſt Conſuls did not only retain the honours of Kings, but alſo their empire and authority: This only was the difference, that not one, but two of them did reign (which alſo you know was uſual in all the *Lacedemonian* Kings) who were created or choſen, not conſtantly to continue in the government, but for one year. We muſt therefore always ſtand to what we ſpoke at firſt, that Kings at firſt were inſtituted for maintaining equity. If they could have holden that ſovereignty in the caſe they had received it, they might have holden and kept it perpetually; but this is free and looſed by laws. But (as it is with humane

humane things) the ſtate of affairs tending to worſe, the ſovereign authority which was ordained for publick utility degenerated into a proud domination. For when the luſt of Kings ſtood in ſtead of laws, and men being veſted with an infinite and immoderate power, did not contain themſelves within bound, but connived at many things out of favour, hatred, or ſelf-intereſt, the inſolency of Kings made laws to be deſired. For this cauſe, therefore, laws were made by the people, and Kings conſtrained to make uſe, not of their own licentious wills in judgment, but of that right or privilege which the people had conferred upon them: For they were taught by many experiences, that it was better that their liberty ſhould be concredited to laws, than to Kings; whereas the one might decline many ways from the truth, but the other being deaf both to intreaties and threats, might ſtill keep one and the ſame tenor. This one way of government is to Kings preſcribed, otherwiſe free, that they ſhould conform their actions and ſpeech to the preſcripts of laws, and by the ſanctions thereof divide rewards and puniſhments, the greateſt bonds of holding faſt together humane ſociety. And laſtly, even as ſaith that famous Legiſlator, *A King ſhould be a ſpeaking law, and the law a dumb King.*

M. At firſt you ſo highly praiſed Kings, that you made their majeſty almoſt glorious and

and ſacred; but now, as if you had repented in ſo doing, I do not know within what ſtrait bonds you ſhut them up; and being thruſt into the priſon (I may ſay) of laws, you do ſcarce give them leave to ſpeak. And as for my part, you have diſappointed me of my expectation very far: For I expected (according to the moſt famous Hiſtorians) you ſhould have reſtored the thing which is the moſt glorious both with God and man, into its own ſplendor, either of your own accord, or at my deſire, in the ſeries of your diſcourſe, which being ſpoiled of all ornaments, you have brought it into ſubjection; and that authority, which through all the world is the chiefeſt, you having hedged in round about and made it almoſt ſo contemptible, as not to be deſired by any man in his right wits: For what man in his right wits would not rather live as a private man with a mean fortune, than being ſtill in action about other mens affairs, be in perpetual trouble, and neglecting his own affairs, to order the whole courſe of his life according to other mens rules? But if that be the terms of government every where propoſed, I fear there will be a greater ſcarcity of Kings found, than was of Biſhops in the firſt infancy of our religion. Nor do I much wonder, if Kings be regarded according to this plat-form, being but men taken from feeding cattel, and from the plough,

plough, who took upon them that glorious dignity.

B. CONSIDER, I pray you, in how great an errour you are, who does think that Kings were created by people and nations, not for juſtice, but for pleaſure, and does think there can be no honour, where wealth and pleaſures abound not; wherein conſider how much you diminiſh their grandeur. Now that you may the more eaſily underſtand it, compare any one King of thoſe you have ſeen apparalled like a child's puppet, brought forth with a great deal of pride, and a great many attendants, meerly for vain oſtentation, the repreſentation whereof you miſs in that King whom we deſcribe: Compare, I ſay, ſome one of thoſe, who were famous of old, whoſe memory doth even yet live, flouriſheth, and is renowned to all poſterity. Indeed they were ſuch as I have now been deſcribing. Have you never heard what an old woman, petitioning *Philip* King of *Macedon* to hear her cauſe, anſwered him, he having ſaid to her he had no leiſure; to which ſhe replied, *Then ceaſe* (ſaid ſhe) *to be King?* Have you never heard (I ſay) that a King, victorious in ſo many battels, and conqueror of ſo many nations, admoniſhed to do his duty by a poor old wife, obeyed, and acknowledged that it was the duty of Kings ſo to do? Compare then this *Philip*, not only with the greateſt Kings that

are now in *Europe*, but alſo with all that can be remembred of old, you ſhall ſurely find none of them comparable to thoſe, either for prudence, fortitude, or activity; few equal to them for largeneſs of dominions. If I ſhould enumerate *Ageſilaus*, *Leonidas*, and the reſt of the *Lacedemonian* Kings (O how great men were they!) I ſhall ſeem to utter but obſolete examples: Yet one ſaying of a *Lacedemonian* maid I cannot paſs over with ſilence; her name was *Gorgo*, the daughter of *Cleomedes*: She ſeeing a ſervant pulling off the ſtockings of an *Aſian* Gueſt, and running to her father, cried out, *Father, the Gueſt hath no hands.* From which ſpeech of that maid you may eaſily judge of the *Lacedemonian* diſcipline, and domeſtick cuſtom of their Kings. Now thoſe who proceeded out of this ruſtick, but courageous way of life, did very great things; but thoſe who were bred in the *Aſiatick* way, loſt, by their luxury and ſloth, the great dominions given them by their anceſtors. And, that I may lay aſide the ancients, ſuch a one was *Pelagius* not long ago among the people of *Galicia*, who was the firſt that weakened the *Saracen* forces in *Spain*, yet him and all his the grave did incloſe, yet of him the *Spaniſh* Kings are not aſhamed, accounting it their greateſt glory to be deſcended of him. But ſeeing this place doth call for a more large diſcourſe,

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let us return from whence we have digreſſed. For I deſire to ſhew you with the firſt what I promiſed, namely, that this form of government hath not been contrived by me, but ſeems to have been the ſame to the moſt famous men in all ages, and I ſhall briefly ſhew you the ſpring from whence I have drawn theſe things. The Books of *M. Tullius Cicero*, which are entituled, *Of Offices*, are, by common conſent of all, accounted moſt praiſe-worthy; in the Second Book thereof theſe words are ſet down *verbatim*: "It ſeems (as *Herodotus* ſaith) that of old, "well-bred Kings were created, not amongſt "the *Medes* only, but alſo amongſt our "anceſtors, for executing of juſtice; for "whilſt at firſt the people were oppreſſed "by thoſe that had greateſt wealth, they "betook themſelves to ſome one who was "eminent for virtue, who whilſt he kept "off the weakeſt from injuries, eſtabliſhing "equity, he hemmed in the higheſt with "the loweſt, by equal laws to both. And "the reaſon of making laws, was the ſame "as of the creation of Kings; for it is re-"quiſite that juſtice be always equal, for "otherwiſe it were not juſtice. If this they "did obtain from one good and juſt man, "they were therewith well pleaſed; when "that did not occur, laws were made, which "by one and the ſame voice might ſpeak "to all alike. This then indeed is evident,

" that thoſe were uſually choſen to govern,
" of whoſe juſtice the people had a great
" opinion." Now this was added, " That
" theſe Rulers or Kings might be accounted
" prudent, there was nothing that men
" thought they could not obtain from ſuch
" Rulers." I think you ſee from theſe words, what *Cicero* judgeth to be the reaſon of requiring both Kings and laws. I might here commend *Zenophon* a witneſs requiring the ſame, no leſs famous in warlike affairs, than in the ſtudy of philoſophy; but that I know you are ſo well acquainted with his writings, as that you have all his ſentences marked. I paſs at preſent *Plato* and *Ariſtotle*, albeit I am not ignorant how much you have them in eſtimation. For I had rather adduce for confirmation, men famous in a middle degree of affairs, than out of Schools. Far leſs do I think fit to produce a ſtoick King, ſuch as by *Seneca* in *Thyeſtes* is deſcribed: Not ſo much becauſe that idea of a King is not perfect, as becauſe that examples of a good Prince may be rather impreſſed in the mind, than at any time hoped for. But leſt in thoſe I have produced there might be any ground of calumny, I have not ſet before you Kings out of the *Scythian* ſolitude, who did either ungird their own horſes, or did other ſervile work, which might be very far from our manner of living; but even out of *Greece*, and ſuch, who in theſe very times, wherein

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the *Grecians* did moſt flouriſh in all liberal ſciences, did rule the greateſt nations, or well governed cities; and did ſo rule, that whilſt they were alive were in very great eſteem amongſt their people, and being dead left to poſterity a famous memory of themſelves.

M. IF now you ask me what my judgment is, I ſcarce dare confeſs to you either mine inconſtancy or timidity, or by what other name it ſhall pleaſe you to call that vice. For as often as I read theſe things you have now recited in the moſt famous Hiſtorians, or hear the ſame commended by very wiſe men, whoſe authority I dare not decline; and that they are approved by all good and honeſt men not only true, equitable and ſincere, but alſo ſeem ſtrong and ſplendid again as oft as I caſt mine eyes on the neatneſs and elegancy of our times, that antiquity ſeemeth to have been venerable and ſober, but yet rude, and nor ſufficiently poliſhed, but of theſe things we may perhaps ſpeak of hereafter at more leiſure. Now if it pleaſe you, go on to proſecute what you have begun.

B. MAY it pleaſe you then that we recollect briefly what hath been ſaid? So ſhall we underſtand beſt what is paſt, and if ought be raſhly granted, we ſhall very ſoon retract it.

M. YES indeed.

B. FIRST of all then we agree, that men by nature are made to live in ſociety together, and for a communion of life.

M. THAT is agreed upon.

B. THAT a King alſo choſen to maintain that ſociety is a man eminent in vertue.

M. IT is ſo.

B. AND as the diſcords of men amongſt themſelves brought in the neceſſity of creating a King, ſo the injuries of King's done againſt their Subjects were the cauſe of deſiring Laws.

M. I acknowledge that.

B. WE held Laws to be a proof of the Art of Government, even as the precepts of Phyſick are of the medicinal art.

M. IT is ſo.

B. BUT it ſeems to be more ſafe (becauſe in neither of the two have we ſet down any ſingular and exact skill of their ſeveral Arts) that both do, as ſpeedily as may be, heal by theſe preſcripts of Art.

M. IT is indeed ſafeſt.

B. NOW the precepts of the medicinal Art are not of one kind.

M. HOW?

B. FOR ſome of them are for preſervation of health, others for reſtoration thereof.

M. VERY right.

B. WHAT ſay you of the governing Art?

M. I think, there may be as many kinds.

B. NEXT

B. NEXT then it ſeems, that we conſider it. Do you think that Phyſicians can ſo exactly have skill of all diſeaſes, and of their remedies, as nothing more can be required for their cure?

M. NOT at all, for many new kinds of diſeaſes ariſe almoſt in every age; and new remedies for each of them, almoſt every year are by men's induſtry found out, or brought from far countries.

B. WHAT think you of the Laws of commonwealths.

M. SURELY their caſe ſeems to be the ſame.

B. THEREFORE neither Phyſicians, nor Kings can evite or cure all diſeaſes of commonwealth, by the precepts of their Arts, which are delivered to them in writ.

M. I think indeed they cannot.

B. WHAT if we ſhall farther try of what things Laws may be eſtabliſhed in commonwealths, and what cannot be comprehended within Laws.

M. THAT will be worth our pains.

B. THERE ſeems to be very many and weighty things, which cannot be contained within the Laws. *Firſt*, All ſuch things as fall into the deliberation of the time to come.

M. ALL indeed.

B. NEXT, many things already paſt, ſuch are theſe wherein truth is ſought by conjectures, confirmed by witneſſes, or extorted by torments.

M. YES, indeed.

B. IN unfolding than theſe queſtions what ſhall the King do?

M. I ſee here there is no need of a long diſcourſe, ſeeing Kings do not ſo arrogate the ſupream power in thoſe things which are inſtitute with reſpect to the time to come, that of their own accord they call to council ſome of the moſt prudent.

B. WHAT ſay you of thoſe things which by conjectures are found out, and made out by witneſſes, ſuch as are the crimes of murther, adultery and witchcraft.

M. THESE are examined by the skill of Lawyers, diſcovered by diligence, and theſe I find to be for the moſt part left to the judgment of Judges.

B. AND perhaps very right; for if a King would needs be at the private cauſes of each Subject, when ſhall he have time to think upon peace and war, and thoſe affairs which maintain and preſerve the ſafety of the commonwealth? And laſtly, when ſhall he get leave to reſt?

M. NEITHER would I have the cognition of every thing to be brought unto a King, neither can one man be ſufficient for all the cauſes of all men, if they be brought unto him; that counſel no leſs wiſe than neceſſary doth pleaſe me exceeding well, which the father in law of *Moſes* gave him in dividing amongſt many the burden of hearing cauſes,

cauſes, whereof I ſhall not ſpeak much, ſeeing the hiſtory is known to all.

B. BUT I think, theſe Judges muſt judge according to law.

M. THEY muſt indeed do ſo. But as I conceive, there be but few things, which by Laws may be provided againſt, in reſpect of thoſe which cannot be provided againſt.

B. THERE is another thing of no leſs difficulty, becauſe all theſe things which call for Laws, cannot be comprehended by certain preſcriptions.

M. HOW ſo?

B. LAWYERS, who attribute very much to their own Art, and who would be accounted the Prieſts of Juſtice, do confeſs that there is ſo great a multitude of affairs, that it may ſeem almoſt infinite, and ſay that daily ariſe new crimes in Cities, as it were ſeveral kinds of ulcers, what ſhall a Lawgiver do herein, who doth accommodate Laws both to things preſent and preterit?

M. NOT much, unleſs he be ſome divine-like perſon.

B. AN other difficulty doth alſo occur, and that not a ſmall one, that in ſo great an inconſtancy of humane frailty, no art can almoſt preſcribe any things altogether ſtable and firm.

M. THERE is nothing more true than that.

B. IT

B. It ſeemeth then moſt ſafe to truſt a skilful Phyſician in the health of the patient, and alſo the Kings in the ſtate of the commonwealth. For a Phyſician without the rule of art will oftentimes cure a weak patient either conſenting thereto, or againſt his will; and a King doth either perſwade a new law yet uſeful to his Subjects, or elſe may impoſe it againſt their will.

M. I do not ſee what may hinder him therein.

B. Now ſeeing both the one and the other do theſe things, do you think that beſides the Law, either of them makes his own Law?

M. It ſeems that both doth it by Art. For we have before concluded not that to be Art which conſiſts of precepts, but vertue contained in the mind, which the artiſt uſually makes uſe of in handling the matter which is ſubject to arts. Now I am glad (ſeeing you ſpeak ingenuouſly) that you being conſtrained, as it were, by an interdiction of the very truth, do ſo far reſtore the King from whence he was by force dejected.

B. Stay, you have not yet heard all. There is another inconvenient in the authority of Laws. For the law being as it were a pertinacious, and a certain rude exactor of duty, thinks nothing right, but what itſelf doth command. But with a King, there is an excuſe of infirmity and temerity, and place

of

of pardon left for one found in an error. The law is deaf, cruel and inexorable. A young man pleads the frailty of his years, a woman the infirmity of her ſex, another his poverty, drunkenneſs, affection. What ſaith the law to theſe excuſes? Go officer or ſerjeant, convene a band of men, hoodwink him, ſcourge him, hang him on a tree. Now you know how dangerous a thing it is, in ſo great a humane frailty, to have the hope of ſafety placed in innocency alone.

M. In very truth you tell me a thing full of hazard.

B. Surely as oft as theſe things come into mind, I perceive ſome not a little troubled.

M. You ſpeak true.

B. When therefore I ponder with my ſelf what is before paſt as granted, I am afraid leſt the compariſon of a Phyſician, and of a King in this caſe ſeem not pertinently enough introduced.

M. In what caſe?

B. When we have liberate both of the ſervitude of precepts, and given them almoſt a free liberty of curing.

M. What doth herein eſpecially offend you?

B. When you hear it, you will then judge, two cauſes are by us ſet down, why it is not expedient for a people that Kings be looſed from the bonds of Laws, namely love and hatred, which drive the minds of men to

and

and fro in judging. But in a Phyſician it is not to be feared, leſt he fail through love, ſeeing he expecteth a reward from his patient being reſtored to health. But if a patient underſtand that his Phyſician is ſolicited by intreaties, promiſes and money againſt his life, he may call another Phyſician, or if he can find none other, I think it is more ſafe to ſeek ſome remedy from books how deaf ſoever, than from a corrupt Phyſician. Now becauſe we have complained of the cruelty of Laws, look if we underſtand one another ſufficiently.

M. How ſo?

B. We judged an excellent King, ſuch as we may more ſee in mind than with bodily eyes, not to be bound by any Laws.

M. By none.

B. Wherefore?

M. I think, becauſe, according to *Paul*, he ſhould be a law to himſelf and to others, that he may expreſs in life what is by law enjoined.

B. You judge rightly; and that you may perhaps the more admire, ſeveral ages before *Ariſtotle* did ſee the ſame, following nature as a leader, which therefore I ſay, that you may ſee the more clearly what hath been proved before, to wit, that the voice of God and nature is the ſame. But that we may proſecute our purpoſe. What ſhall we ſay they had a reſpect unto, who firſt made Laws?

M. Equity I think, as hath been ſaid before.

B. I

B. I do not now demand that, what end they had before them, but rather what pattern they propoſed to themſelves?

M. Albeit perhaps I underſtand that, yet I would have you to explain it, that you may confirm my judgment, if I rightly take it up, if not, you may amend my error.

B. YOU I think; what the dominion is of the mind over the body.

M. I ſeem to know it.

B. YOU know this alſo, whatever we do not raſhly, that there is a certain Idea thereof firſt in our minds, and that it is a great deal more perfect than the works to be done, which according to that pattern the chiefeſt Artiſts do frame and as it were expreſs.

M. THAT indeed I find by experience both in ſpeaking and writing, and perceive no leſs words in my mind, than my minds in things wanting. For neither can our mind ſhut up in this dark and troubled priſon of the body perceive the ſubtility of all things; nor can we ſo endure in our mind the repreſentations of things however foreſeen in diſcourſe with others, ſo as they are not much inferiour to theſe which our intellect hath formed to it ſelf.

B. WHAT ſhall we ſay then which they ſet before them, who made Laws?

M. I ſeem almoſt to underſtand what you would be at. Namely, that they in council hand an Idea of that perfect King, and that they

they did expreſs a certain Image, not of the body but of the mind, according to that foreſaid Idea as near as they could. And would have that to be in ſtead of Laws which he is to think might be good and equitable.

M. YOU rightly underſtand it, for that is the very thing I would ſay. But now I would have you to conſider what manner of King that is which we have conſtitute at firſt, was he not one firm and ſtedfaſt againſt hatred, love, wrath, envy, and other perturbations of the mind?

M. WE did indeed imagine him to be ſuch a one; or believed him to have been ſuch to thoſe ancients.

B. BUT do laws ſeem to have been made according to the Idea of him?

M. NOTHING more likely.

B. A good King then is no leſs ſevere and inexorable, than a good law.

M. HE is even as ſevere; but ſince I can change neither, or ought to deſire it, yet I would ſlaken both ſomewhat, if I can.

B. BUT God deſires not that mercy be ſhewed even to the poor in judgment, but commandeth us to reſpect that one thing which is juſt and equal, and to pronounce ſentence acccordingly.

M. I do acknowledge that, and by truth am overcome. Seeing therefore it is not lawful to looſe Kings from the bonds of laws, who ſhall then be the lawgiver? Whom ſhall we give him as a Pedagogue? *B.* WHOM

B. WHOM do you think fitteſt to perform this duty?

M. IF you ask at me, I think the King himſelf. For in all other arts almoſt we ſee their precepts are given by the Artiſts; whereof they make uſe, as it were of comments, for confirming their memory, and putting others in mind of their duty.

B. ON the contrary I ſee no difference; let us grant that a King is at liberty and ſolved from the laws, ſhall we grant him the power to command laws? For no man will willingly lay bonds and fetters upon himſelf. And I know not whether it be better to leave a man without bonds, or to fetter him with ſlight bonds, becauſe he may rid himſelf thereof when he pleaſes.

M. BUT when you concredit the helm of government rather to laws than to Kings, beware I pray you, leſt you make him a Tyrant, whom by name you make a King, who with authority doth oppreſs and with fetters and impriſonment doth bind, and ſo let him be ſent back to the plough again, or to his former condition yet free of fetters.

B. BRAVE words: I impoſe no Lord over him, but I would have it in the people's power, who gave him the authority over themſelves, to preſcribe to him a model of his government, and that the King may make uſe of that Juſtice, which the people gave him over

ver themſelves. This I crave. I would not have theſe laws to be by force impoſed, as you interpret it, but I think that by a common council with the King, that ſhould be generally eſtabliſhed, which may generally tend to the good of all.

M. You will then grant this liberty to the people?

B. Even to the people indeed, unleſs perhaps you be of another mind.

M. Nothing ſeems leſs equitable.

B. Why ſo?

M. You know that ſaying, *A beaſt with many heads.* You know, I ſuppoſe, how great the temerity and inconſtancy of a people is.

B. I did never imagine that that matter ought to be granted to the judgment of the whole people in general, but near that to our cuſtom a ſelect number out of all eſtates may convene with the King in council. And then how ſoon an overture by them is made, that it be deferred to the people's judgment.

M. I underſtand well enough your advice. But by this ſo careful a caution you ſeem to help your ſelf nothing. You will not have a King looſed from laws, why? Becauſe, I think, within man two moſt cruel monſters luſt and wrath are in a continual conflict with reaſon. Laws have been greatly deſired, which might repreſs their boldneſs, and reduce them too much inſulting, to regard a juſt govern-

ment.

ment. What will theſe counſellors given by the people do? Are they not troubled by that ſame inteſtine conflict? Do they not conflict with the ſame evils as well as the King? The more then you adjoin to the King as aſſeſſors there will be a greater number of fools, from which you ſee what is to be expected.

B. BUT I expect a far other thing than you ſuppoſe. Now I ſhall tell you why I do expect it. Firſt, It is not altogether true what you ſuppoſe, *viz*, That the aſſembling together of a multitude is to no purpoſe, of which number there will perhaps be none of a profound wit; for not only do many ſee more and underſtand more than one of them apart, but alſo more than one, albeit he exceed their wit and prudence. For a multitude for the moſt part doth better judge of all things, than ſingle perſons apart. For every one apart have ſome particular vertues, which being united together make up one excellent vertue, which may be evidently ſeen in Phyſicians pharmacies, and eſpecially in that antidote, which they call Mithredate. For therein are many things of themſelves hurtful apart, which being compounded and mingled together make a wholeſome remedy againſt poiſon. In like manner in ſome men ſlowneſs and lingering doth hurt, in others a precipitant temerity, both which being mingled together in a multitude make a certain temperament and mediocrity, which we require to be in every kind

M. BE it ſo, ſeeing you will have it ſo, let the people make laws and execute them; and let Kings be as it were keepers of Regiſters. But when laws ſeem to claſh, or are not exact and perſpicuous enough in ſanctions, will you allow the King no intereſt or medling here, eſpecially ſince you will have him to judge all things by written laws, there muſt needs enſue many abſurdities. And, that I may make uſe of a very common example of that law commended in the Schools. If a ſtranger ſcale a wall, let him die, what can be more abſurd than this, that the Author of a publick ſafety (who have thruſt down the enemies preſſing hard to be up) ſhould be drawn to puniſhment, as if he had in hoſtility attempted to ſcale the walls.

B. THAT is nothing.

M. YOU approve then that old ſaying, *the higheſt juſtice is the higheſt injury.*

B. I do indeed. If any thing of this kind come into debate, there is need of a meek interpreter, who may not ſuffer the laws which are made for the good of all to be calamitous to good men, and deprehended in no crime.

M. YOU are very right, neither is there any thing elſe by me ſought in all this diſpute, (if you have ſufficiently noticed it) than that Ciceronian Law might be venerable and inviolable *Salus populi ſuprema Lex eſto.* If then any ſuch thing ſhall come into debate, ſo that it be clear what is good and juſt, the King's

King's duty will be to advert that the Law may reach that rule I ſpoke of, but you in behalf of Kings ſeems to require more, than the moſt imperious of them aſſume. For you know that this kind of queſtions is uſually defered to Judges, when Law ſeemeth to require one thing, and the Lawgiver another; even as theſe laws which ariſe from an ambiguous right or from the diſcord of Laws amongſt themſelves. Therefore in ſuch caſes moſt grievous contentions of advocates ariſe in judicatories, and orators precepts are diligently produced.

M. I know that to be done which you ſay. But in this caſe no leſs wrong ſeems to be done to laws than to Kings. For I think it better to end that debate preſently from the ſaying of one good man, than to grant the power of darkning rather than interpreting laws to ſubtile men, and ſometimes to crafty Knaves; for whilſt not only contention ariſeth betwixt advocate for the cauſes of parties contending, but alſo for glory, conteſts are nouriſhed in the mean time; right or wrong equity or iniquity is called in queſtion; and what we deny to a King, we grant to men of inferiour rank, who ſtudy more to debate than to find out the truth.

B. YOU ſeem to me forgetful of what we lately agreed upon.

M. WHAT is that?

B. THAT all things are to be ſo freely granted to an excellent King, as we have deſcribed him, that there might be no need of any Laws. But whilſt this honour is conferred to one of the people, who is not much more excellent than others, or even inferiour to ſome, that free and looſe licence from laws is dangerous.

M. BUT what ill doth that to the interpretation of law.

B. VERY much. Perhaps you do not conſider, that in other words we reſtore to him that infinite and immoderate power, which formerly we denied to a King, namely that according to his own heart's luſt he may turn all things upſide down.

M. IF I do that, then certainly I do it imprudently.

B. I ſhall tell you more plainly, that you may underſtand it. When you grant the interpretation of laws to a King, you grant him ſuch a licence, as the law doth not tell what the Lawgiver meaneth, or what is good and equal for all in general but what may make for the interpreter's benefit, ſo that he may bend it to all actions for his own benefit or advantage, as the Lesbian rule. *Ap. Claudius* in his *Decemviratus*, made a very juſt law, that in a liberal cauſe or plea, ſureties ſhould be granted for liberty. What more clearly could have been ſpoken. But by interpreting the ſame Author made his own law

uſeleſs.

uſeleſs. You ſee; I ſuppoſe how much liberty you give a Prince by one caſt, namely that what he pleaſeth the law doth ſay, what pleaſeth him not, it doth not ſay. If we ſhall once admit this, it will be to no purpoſe to make good laws for teaching a good prince his duty; and him in an ill King. Yea, let me tell you more plainly, it would be better to have no laws at all, than that freedom to ſteal ſhould be tolerate, and alſo honoured under pretext of law.

M. Do you think that any King will be ſo imprudent, that he will not at all have any regard of the fame and opinion that all men have of him? or that he will be ſo forgetful of his ſubjects, that he will degenerate into their pravity, whom he hath reſtrained by ignominy, impriſonment, confiſcation of goods, and in a word with very grievous puniſhments?

B. Let us not believe that theſe things will be, if they had not been done not long ago, and that to the exceeding great hurt of the whole world.

M. Where do you tell theſe things were done?

B. Do you ask, where? as if all the nations in Europe did not only ſee, but feel alſo how much miſchief hath the immoderate power, and unbridled tyranny of the pope of *Rome* brought upon humane affairs? Even that power which from ſmall beginning and ſeemingly honeſt he had got, every man doth

know that no leſs can be feared by unwary perſons. At firſt, laws were propoſed to us, not only drawn out of the innermoſt ſecrets of nature, but given by God himſelf, explain'd by the prophets from the holy Spirit, at laſt by the Son of God, and by the ſame God confirmed, committed to the writings of thoſe praiſe worthy men, expreſſed in their life, and ſealed with their blood. Neither is there in the whole law any other place more carefully, commendably, or more clearly delivered, than that of the office of Biſhops. Now ſeeing it is lawful to no man to add any thing to theſe laws, to abrogate or derogate ought therefrom, or to change any thing therein, there did remain but one interpretation, and whilſt the Pope did arrogate it, he not only did oppreſs the reſt of the Churches, but claimed a tyranny the moſt cruel of all that ever were, daring to command not only men but Angels alſo, plainly reducing Chriſt into order, if this be not to reduce him into order, that what thou wilt have done in heaven, in earth and amongſt the damned in hell, be ratified; what Chriſt hath commanded, let it be ratified, if thou wilt for, if the law ſeem to make but little for your behoof, interpreting it thus you may back-bend it, ſo that not only by your mouth, but alſo according to the judgment of your mind Chriſt is conſtrained to ſpeak. Chriſt therefore ſpeaking by the mouth of the Pope,

Pipin

Pipin is ſet in *Childericks* place of government, *Ferdinandus* of *Arragon* ſubſtitute to *John King* of *Navarre*; the ſon aroſe in arms againſt his father, and ſubjects againſt their King. Chriſt is full of poiſon, then he is forced by witches, ſo that he killeth *Henry* of *Luxemburg* by poiſon.

M. I have heard theſe things often before, but I deſire to hear more plainly ſomewhat of that interpretation of laws.

B. I ſhall offer you one example, from which you may eaſily underſtand, how much this whole kind is able to do. The law is, A Biſhop muſt be the husband of one wife, than which law what is more clear, and what may be ſaid more plain? one wife, (ſaith the Law) one Church, (ſaith the Pope) ſuch is his interpretation. As if that law were made not to repreſs the luſt of Biſhops but their avarice. Now this explanation, albeit it ſaith nothing to the purpoſe, yet doth contain a judgment honeſt and pious, if he had not vitiated that law again by another interpretation. What doth therefore the Pope deviſe for excuſe? It varieth (ſaith he) in regard of perſons, caſes, places and times. Some are of that eminent diſpoſition, that no number of Churches can ſatisfie their pride. Some Churches again are ſo poor, that they cannot maintain him who was lately a begging *Monk*, if he now have a mitre, if he would maintain the name of a Biſhop. There is a reaſon in-

vented from that crafty interpretation of the law, that they may be called Biſhops of one Church, or other Churches given them in Commendam, and all may be robbed. Time would fail me, if I ſhould reckon up the cheats, which are daily excogitat againſt one law. But albeit theſe things be moſt unbeſeeming as well the name of a Pope, as of a Chriſtian, yet their tyranny reſts not here: For ſuch is the nature of all things, that when they once begin to fall, they never ſtay until they fall headlong into deſtruction. Will you have me to ſhow you this by a famous example? Do you not remember upon any of the *Roman* Emperours blood, who was more cruel and wicked than *C. Caligula*.

M. THERE was none that I know of.

B. Now what was his moſt nefarious villany think you? I do not ſpeak of thoſe deeds which Popes do reckon up in ſome reſerved caſes, but in the reſt of his life.

M. I do not at preſent remember.

B. WHAT do you think of that, that having called upon his horſe, he invited him to ſup with him? Set a golden grain of barley before him, and made him Conſul?

M. INDEED it was moſt impiouſly done.

B. WHAT think you of that, how he made the ſame horſe his Colleague in the Prieſthood?

M. DO you tell me that in good earneſt?

B. IN-

B. INDEED in good earneſt, nor do I admire that theſe things ſeem to you feigned. But that *Roman Jupiter* of ours hath done ſuch things, that thoſe things done by *Caligula* may ſeem true to poſterity. I ſay Pope *Julius* the Third, who ſeems contended with *C. Caligula*, a moſt wicked wretch, for preheminence of impiety.

M. WHAT did he of that kind?

B. HE made his *Ape*-keeper, a man almoſt more vile than the vileſt beaſt, his Colleague in the Papacy.

M. PERHAPS there was another cauſe of chuſing him?

B. SOME are reported indeed, but I have picked out the moſt honeſt. Seeing then ſo great a contempt, not only of the prieſthood, but alſo a forgetfulneſs of humanity ariſing from this freedom of interpreting laws, beware you think that to be a ſmall power.

M. BUT the ancients ſeem not to have thought it ſo great a buſineſs of interpreting, as you would have it ſeem to be: Which by this one argument may be underſtood, becauſe the *Roman* Emperours granted it to lawyers; which one reaſon doth overturn your whole tedious diſpute, nor doth it only refute what you ſpoke of the greatneſs of that power, but that alſo which you moſt ſhun, it perſpicuouſly declareth what power they granted to others of anſwering rightly, was not denied to them-

themſelves, if they had been pleaſed to exerciſe that office, or could have done it by reaſon of greater affairs.

B. As for thoſe *Roman* Emperours, whom the Soldiers did chuſe indeliberately, and without any regard to the common good of all, theſe fall not under this notion of Kings which we have deſcribed ſo that by thoſe that were moſt wicked were they choſen who for the moſt part were moſt wicked, or elſe laid hold upon the Government by violence. Now I do not reprehend them for granting power to lawyers to interpret the law. And albeit that power be very great, as I have ſaid before, it is notwithſtanding more ſafely concredited to them to whom it cannot be an inſtrument of tyranny. Moreover it was concredited to many whom mutual reverence did hold within the bounds of duty, that if one decline from equity, he might be refuted by another. And if they ſhould have all agreed together into fraud; the help of the judge was above them, who was not obliged to hold for law whatever was given by Lawyers for an anſwer. And over all was the Emperour, who might puniſh the breach of laws. They being aſtricted by ſo many bonds were hemmed in, and did fear a more grievous puniſhment, than any reward of fraud they could expect: You ſee, I ſuppoſe then that the danger

danger to be feared from ſuch kind of men was not ſo great.

M. HAVE you no more to to ſay of a King?

B. FIRST, if you pleaſe, let us collect together, what is already ſpoken, ſo that the more eaſily we may underſtand, if any thing be omitted.

M. I think we ſhould do ſo.

B. WE ſeemed to be at accord ſufficiently concerning the origine and cauſe of creating Kings, and making laws, but of the Lawgiver not ſo: But at laſt, though ſomewhat unwillingly I ſeem to have conſented, being enforced by the ſtrength of truth.

M. CERTAINLY you have not only taken from a King the power of commanding laws, but alſo of interpreting them, even whilſt I as an advocate ſtrongly proteſted againſt it. Wherein I am afraid, if the matter come to publick hearing, leſt I be accuſed of prevarication, for having ſo eaſily ſuffered a good cauſe, as it ſeemed at firſt, to be wrung out of my hands.

B. BE of good courage; for if any accuſe you of prevarication in this caſe, I promiſe to be your defence.

M. PERHAPS we will find that ſhortly.

B. THERE ſeems to be many kinds of affairs which can be comprehended within no laws; whereof we laid over a part on ordinary

ordinary judges, and a part on the King's council by the King's conſent.

M. I do remember we did ſo indeed. And when you was doing that, wot you what came into my mind?

B. How can I, unleſs you tell me?

M. Methought you made Kings in a manner like ſtone ſeals, which for the moſt part ſo ſeem to lean on the tops of pillars, as if they did ſuſtain the whole fabrick: whereas in effect they bear no more burden, than any other ſtone.

B. What? good advocate of Kings, do you complain that I lay on them a little burden, ſeeing both day and night they do nothing elſe, than ſeek out others to bear burden with them, or upon whom they may altogether lay the burden, and ſo disburden themſelves. And in the mean time you ſeem to take it in ill part that I afford them help labouring under their burden.

M. I alſo very willingly admit theſe auxiliaries, but ſuch would I have as may ſerve, but not command, ſuch as may ſhew the way, but not lead in the way, or more truly draw, or ruſh them forward as ſome warlike engine, and leave a King no other power but to aſſent to them. Therefore I preſently expect, that having ended our diſcourſe concerning a King, you would ſtep aſide to ſpeak of Tyrants, or ſomewhere elſe: For you have incloſed a King within ſo narrow bounds,

that

that I am afraid, leſt, if we tarry longer therein, you drive him out of his greateſt wealth, and higheſt dignity, and baniſh him, as it were, into ſome deſert Iſland; where, being ſpoiled of all his honour he wax old in poverty and miſery.

B. You feared, as you pretend, the crime of prevarication; but I am afraid, leſt in calumniating you wrong the King, whom you endeavour to defend. Firſt, I would not have him to be idle, unleſs you would appoint idle maſter-builders: Secondly, you deprive him of good miniſters and friends, whom I have adjoyned unto him, not as keepers, but would have them called by him to bear a part of his labour; and theſe being driven away, you ſurround him with a band of knaves, who make him to be feared by his ſubjects: Neither do you think he will be formidable, unleſs we allow him a great power of doing wrong. I would have him to be by his ſubjects beloved; not to be guarded by the terrour, but good-will of his ſubjects, which arms alone do make Kings invincible. Unleſs you gainſay this, I truſt I ſhall ſhortly prove it: For I ſhall lead him out of theſe you call ſtraits into light; and by one law ſhall give him ſo much authority and enlargement, that if he deſire more, he may ſeem imprudent.

M. Indeed I long to hear that.

B. I ſhall then fall upon that matter, that I may ſatisfy your deſire as ſoon as I can. A little before we have confeſſed, that no law can be ſo accurately cautioned concerning any affair, but that malicious ſubtilty may invent ſome fraud. This, perhaps, will be the better underſtood by the example already propoſed. By the law it is ordained, that no parents tranſmit their benefices to their baſtards. Here, in effect, the law ſeems clear, yet a cheat is found out; that the father ſubſtitute ſome other man, and that he may deliver that ſame benefice to the baſtard of the former poſſeſſor. Thereafter, when as it was carefully ordained by law, that the ſon ſhould by no means enjoy that benefice which his father had poſſeſſed before; yet by this caution it was never a whit the better: For againſt that law a paction was found out amongſt prieſts, that each of them ſhould ſubſtitute the ſon of the other in his office. And when that was alſo forbidden, the law was alſo eluded by another kind of cheat: A pretender was ſet up againſt the father, who might pretend he had a right to that benefice. Whilſt the father ſeemingly is a contending with this ſuppoſed ſycophant, the ſon doth petition the Pope for the benefice, if ſo be that the right unto that benefice belong not to either of the parties contending for it; and ſo the ſon, by his father's prevarication, doth enjoy his father's benefice,

benefice, and overcometh both the parties, who willingly and freely yield up their plea. Thus you ſee how many kinds of cheats are invented againſt one law.

M. I ſee it.

B. Do not lawgivers ſeem to do altogether the ſame herein which phyſicians do, who whilſt they endeavour by applying a plaiſter to compeſce the eruptions of flegm, or of ſome other hurtful humour, the humour reſtrained in one place ſeeks iſſue in many places at once; and, as a certain *Hydra*, having one head cut off, many heads ſtart up in place of one.

M. Nothing more like.

B. What was incumbent for a phyſician to do at firſt for freeing the whole body at once of peccant humours. Ought not the politick phyſician to do the ſame in this caſe, for freeing the whole commonwealth of evil manners?

M. I think that to be the right way of cure, albeit it be difficult.

B. And if this can be obtained, I think there would be need of few laws.

M. It is indeed ſo.

B. Doth not he alone ſeem to confer more for the publick good who can apply this remedy, than all the conventions of all eſtates met for making of laws?

M. Doubtleſs far more. But that I may make uſe of the comick poets words, who

who is able to undertake ſo weighty a charge.

B. WHAT if we ſhall lay it over on the King?

M. MERRILY ſpoken indeed. What was ſoon done and eaſy you have committed to the whole people; but if any thing be difficult and intricate, you will lay it over upon the King alone, as if you thought him not ſufficiently bound tying him round about with ſo many fetters, unleſs you lay upon him a moſt grievous burden, under which he may alſo ſuccumbe.

B. IT is not ſo, but we contend for a buſineſs eaſy for him to be done; we beſeech, he would ſuffer himſelf to be exorable.

M. WHAT is that, I pray?

B. THAT as fathers ought to carry towards their children, ſo in all his life he would behave himſelf towards his ſubjects, whom he ought to account as children.

M. WHAT is that to the purpoſe in hand?

B. SURELY this one is certainly the chiefeſt remedy againſt corrupt manners; and leſt you ſuppoſe that it is an invention of mine, hear what *Claudianus* ſaith: "Thou, "King, muſt as a father rule thy ſubjects; "and no leſs have a care of all, than of thy "ſelf: Let not thy own deſire only move "thee, but alſo the publick deſires of thy

"peo-

" people. If thou commandeſt ought to be " done by all, and to be obeyed, obey the " ſame firſt thy ſelf: Then will the people " become the more obſervant of equity, " nor will refuſe to bear any burden, when " they ſee their King himſelf obedient to " what he commands. The whole world " doth act conform to the example of a " King. The laws of Kings prevail not ſo " much to incline mens minds unto obe- " dience, as the converſation of the Rulers; " for the fluctuating multitude doth always " change as their Prince doth." Do not imagine that the Poet, pregnant for underſtanding and learning, did in vain believe ſo great force to be herein; for people are ſo addicted to the imitation of Kings, in whom any image of honeſty doth ſhine or appear, and ſo endeavour to expreſs their manners, that whoſe virtue they admire, they endeavour alſo to imitate ſome of their vices in ſpeech, apparel, in deport: But in conforming themſelves to the King in geſture, manners of ſpeech, they not only deſire to imitate him, but alſo by flattery they inſinuate themſelves into the minds of great ones, and by theſe arts they hunt after riches, honour and preferment, becauſe they know we have it by nature, that we love not only our ſelves, and our own concerns, but embrace our own likeneſs, though vicious in others. Now that which we demand, not

wickedly and arrogantly, but by intreaty endeavour to obtain, hath a far greater force, than the threatnings of laws, the oſtentation of puniſhments, or armies of ſoldiers. This reduceth a people without force into modeſty, conciliateth to a King his ſubjects goodliking, increaſeth and maintaineth the publick tranquillity, and the wealth of every one ſeverally. Let therefore a King carefully conſider, that he is ſet on the Theatre of the world, and for a ſpectacle propoſed to all, ſo as no word or deed of his can be concealed. The vices of Kings can never be kept ſecret. For the ſupream light of Fate ſuffers nothing to lie hid in obſcurity, and Fame enters into all ſecret places, and finds out obſcure corners. O how much doth it concern Kings to be circumſpect on all hands! ſeeing neither their vices nor their virtues can be concealed, nor yet without a great univerſal change of affairs. But if any do yet doubt, what great importance there is in the converſation of a Prince, for the emendation of the publick diſcipline, let him take but a view of the ſmall beginning of the ſtate of *Rome*. That rude people, conſiſting of ſhepherds and country inhabitants, I ſhall not ſay worſe, naturally fierce, having got a very couragious King, and having pitched once their tents, for ſoliciting the peace of the neighbouring nations, and provoking them to fight, how much do you think of

hatred

hatred and fear was bred in their neighbours? When again that very ſame people had ſet over them a pious and juſt King, they were ſo ſuddenly changed, that being wholly devoted to the worſhip of their Gods, and to acts of juſtice, that to wrong them their neighbours judged it a crime; even thoſe very neighbours, I ſay, whoſe lands before they had laid waſte, whoſe cities they had burnt, and their children and kinſmen they had carried away into bondage. Now if in that barbarity of manners, and rudeneſs of times, *Numa Pompilius*, (who a little before was brought out of another nation at enmity with them, and made King) could do ſo much; what ſhall we expect, or rather what ſhall we not expect of thoſe Princes, who being ſupported by affinity, vaſſals, and much wealth left them by their anceſtors, obtain the government, and are born and brought up in expectation thereof? Now how much ſhould it ſtir up their minds unto virtue, that they hope to have the praiſe, not of one day, as Stage-players do, the ſcene being once paſt, but the good-will, admiration, and perpetual remembrance of their life to all poſterity, and know that honours in heaven are prepared for them? I wiſh I could expreſs in words the repreſentation of that honour, which in mind I have conceived. Now that I may ſomewhat propoſe unto your view the ſame by ſome of the firſt draughts and lineaments

ments thereof, conſider with yourſelf, how the brazen ſerpent, erected by *Moſes* in the Deſert of *Arabia*, did heal the wounds made by other ſerpents, by a very look of the people thereon. I imagine, that out of the whole people there were ſome ſtung by ſerpents, and running together for preſent cure, others aſtoniſhed at the newneſs of the miracle, and all celebrating with all kind of praiſe the immenſe and incredible goodneſs of God: when they perceive that the pain of that deadly wound was not taken away, either by medicaments, with the torment of the patient, by the phyſicians labour and aſſiduous carefulneſs of friends, nor by any long ſpace of time, but reduced unto health in a moment. Compare now a King with that ſerpent, and ſo compare him, that you may reckon a good King amongſt the greateſt benefits of God; who alone, without any expence of thine, and without thy pains and labour, doth relieve a Kingdom of all its troubles, ſetleth perturbations, and in a ſhort ſpace bringeth the inveterate ulcers of minds unto a cicatrice or ſcar: neither is he only a procurer of health to thoſe who behold him near at hand, but alſo to ſuch as are a far off, and have no hope to ſee him, in whoſe image ſo great a force is preſented to the minds of his ſubjects, that it doth eaſily perform what the prudence of Lawyers, the ſcience of Philoſophers, and the

the experience of ſo many ages in collecting their ſeveral arts could never perform. Now what greater honour, dignity, eminency or majeſty can be told or excogitate to be in any man, that by ſpeech, converſe, ſight, fame, and a tacity ſpecies preſented to the mind, he may reduce the moſt luxurious to modeſty, the violent to equity, and thoſe that are furious unto a right mind. Can you ask of God a greater benefit than this ſo much for the good of man's concerns? If I miſtake not, this is the true repreſentation of a King, not that of a King guarded with weapons of war, ever fearing others, or making others afraid, by his hatred towards his people meaſuring his peoples hatred againſt him. This repreſentation which we have given, *Seneca* in his *Thyeſtes* hath expreſſed in very pleaſant colours, which verſe I doubt not but you know, ſeeing it is moſt elegant. Do I now ſeem to ſpeak baſely and contemptuouſly of a King? and bind him faſt loaded with the fetters of laws within a goal, as you did lately ſay? And not rather do bring him forth into light, and aſſemblies of men, and ſet him upon the publick Theatre of mankind, accompanied not with the arrogant company of archers and armed men, and rogues cloathed in ſilk, but guarded in ſafety by his own innocency, not with the terror of arms, but by the love of his people; and not only at freedom and ſet aloft, but honoured, venerable, ſacred, and

eminent, and coming forth with the good wiſhes and fortunate acclamations of the people, and whitherſoever he goeth, turning the faces, eyes and hearts of all towards him. What acclamation, or what triumph can be compared with this daily pomp? or if God in human likeneſs ſhould come down into earth, what greater honour could be given him by men, than that which would be given to a true King, that is to the lively image of God? for neither can love beſtow, nor flattery invent a greater honour than this. What do you think of this repreſentation of a King?

M. So ſplendid and magnificent indeed it is, that it ſeems nothing can be ſaid or imagined more magnificent. But in theſe corrupt times of ours, it is hard to find this magnanimity, unleſs careful education make an honeſt and good nature and diſpoſition. For the mind being principled with good inſtructions and acts from infancy, and by age and daily practice confirmed, endeavours by vertue to attain to true glory; in vain it is tempted by the allurements of luſts, or weakned by the impreſſions of adverſity. For thus learning doth perfect natural parts, and good breeding doth ſtrengthen the mind; ſo that it findeth occaſion of exerciſing vertue amongſt the very recreations of pleaſures, and theſe things which uſually terrific weak ones, by reaſon of difficulty, vertue doth account them

as

as a matter of praiſe. Seeing then there is ſo great importance in learning for all conditions of life, with what great care and ſolicitude ſhould men foreſee, that the tender minds of Kings be rightly principled, even from their very infancy. For ſeeing many are the benefits of good Kings towards their Subjects, and contrary-wiſe, many calamities proceed from wicked Princes, than nothing doth ſeem to have a greater influence upon every rank of men, than the carriage and converſation of Kings and others, who jointly rule publick affairs. For what is done well or ill by private perſons, is for the moſt part hid from the multitude; or by reaſon of ſuch mens obſcure condition their example belongeth to few. But all the words and deeds of thoſe, who hold the helm of publick affairs, cannot be concealed, being written as it were in a publick monument, as *Horace* ſaith, but are ſet before all men for imitation. For they do not turn men's affections to themſelves by ſtudying to pleaſe them, but by very kindly allurements of utility. And whither ſoever the inclinations of Kings do drive, they make the publick diſcipline wheele about with them. But I am afraid, that our Kings will not be intreated to perform what you have now mentioned. For they are ſo marred by the allurements of pleaſures, and deceived with the falſe ſhew of honour, that I think they do almoſt that which ſome Poets

report to have befallen the *Trojans* who were in company at ſea with *Paris*. For the true *Helena* being left in *Egypt* with *Protheus* a holy and truely religious man, they did contend ſo pertinaciouſly the ſpace of ten years for her likeneſs, that it was the end of a moſt pernicious war, and of the moſt flouriſhing Kingdom in thoſe times. For impotent Tyrants embracing that falſe repreſentation of a Kingdom, when they have once obtained it by right or wrong, cannot loſe it without deſtruction. Now if any do admoniſh them, that the true *Helena* for whom they imagine to fight, is elſewhere concealed, they would call him mad.

B. I am indeed glad that you ſomewhat underſtand the beauty of that true daughter of *Jupiter* from this her likeneſs, ſuch as it is, albeit you do not ſee her ſelf. But if theſe lovers of that *Helena*, to their great damage, did ſee the perfect image of the true *Helena*, pourtrayed with her lively colours by ſome *Protegenes* or *Appelles*, I do not queſtion but they would admire her and fall in love with her. And if they did not command their affections to enjoy that other, they might fall into thoſe grievous puniſhments, which *Perſeus* in his *Satyres* doth imprecate on Tyrants. O ſupream Father of the Gods, be pleaſed thus to puniſh cruel Tyrants, when any execrable luſt dipt in raging poiſon doth ſtir up their ſpirits, let them ſee what vertue

is,

is, and let them pine away for ſorrow, becauſe they deſpiſed her. And therefore ſeeing we are fallen in to make mention of Tyrants, may it pleaſe you, that ſtreight way we proceed to ſpeak of them?

M. YES, unleſs you think ſome other thing ſhould be firſt ſpoken.

B. I ſuppoſe we ſhall not deviate, if we proceed in the ſame footſteps for finding out a Tyrant, wherein we did inſiſt in ſeeking out a King.

M. I think ſo. For by that means we ſhall very eaſily underſtand what difference there is betwixt them, if ſet one againſt another they be duly conſidered.

B. AND firſt of all that we may begin at a Tyrant's name, of what language, it is uncertain. I therefore think it now neceſſary for us to ſeek therein the Greek or Latin Etymology. Now what the ancients did call Tyranny, I think is not unknown to any who are well verſed in human literature. For Tyrants were called both by the Greeks and Latines, who had the full power of all things in their hands, which power was not aſtricted by any bonds of Laws, nor obnoxious to the cognition of Judges. Therefore in both languages, as you know, not only the noble heroes, and moſt famous men, but the chiefeſt of the Gods, and ſo Jupiter alſo is called *Tyrannus*; and that even by thoſe who both think and ſpeak honourably of the Gods.

M. I

M. I know indeed that well enough; and the rather I much admire, whence it is come to paſs, that that name now for ſo many ages is accounted odious, and alſo amongſt the moſt grievous reproaches.

B. IT ſeems certainly to have fallen out in this word, which happeneth to be in many others; for if you conſider the nature of words, it hath no evil in it. And albeit ſome words have a more pleaſant ſound in the ears of hearers, and others a more unpleaſant, yet of themſelves they have no ſuch thing, ſo as to ſtir up the mind to wrath, hatred, or hilarity, or otherwiſe to create pleaſure or pain and trouble. If any ſuch thing befall us, that happens to fall out uſually, not from the word; but from the conſuetude of men, and image thereof conceived by the hearers. Therefore a word which amongſt ſome men is honeſt, amongſt others cannot be heard without ſome preface of, *with reverence.*

M. I remember that the like is befallen the names of *Nero* and *Judas*, whereof the one amongſt the *Romans*, and the other amongſt the *Jews* was accounted by great men very famous and honourable. But thereafter by no fault of theſe names, but of theſe two men, it hath come to paſs, that even the moſt flagitious men will not have theſe names to be given to their children; they being buried under ſuch infamy.

B. THE

B. THE ſame alſo is perſpicuous to have befallen the word *Tyrant*, for it is credible, that the firſt Magiſtrates, who were thus called, were good men: or from hence, that this name was ſometime ſo honourable, that it was attribute to the Gods. But thoſe that came afterward made it ſo infamous by their wicked deeds, that all men abhorred it as contagious and peſtilentious, and thought it a more light reproach to be called an hang-man than a Tyrant.

M. PERHAPS it was the ſame as befell the Kings in *Rome* after the *Tarquinii* were depoſed in the name *Dictor* after, *M. Antonius* and *P. Dolabella* were Conſuls.

B. JUST ſo. And on the contrary, baſe and vulgar names have been made famous by the vertue of men called thereby. As amongſt the *Romans*, *Camillus*, *Metellus*, *Scropha*: and amongſt the *Germans*, *Henry*, *Genſerick*, *Charles*. This you ſhall the better underſtand, if taking away the name of Tyrant, you conſider the thing, notwithſtanding that this kind of government hath continued in its former honour and reſpect amongſt many famous nations, as the *Æſymnetæ* amongſt the *Grecians*, and the *Dictators* amongſt the *Romans*; for both were lawful Tyrants. Now Tyrants they were, being more powerful than the laws; but lawful they were, as being choſen by conſent of the people.

M. WHAT

M. WHAT am I hearing? Tyrants and yet lawful? Indeed I did expect a far other thing from you; but now you ſeem to confound the differences of all Kings and Tyrants.

B. INDEED both Kings and Tyrants amongſt the ancients ſeem to have been altogether one and the ſame; but I ſuppoſe in diverſe ages; for I think the name of Tyrants were more ancient; thereafter when they became weary of the name, in their place ſucceeded Kings by a more plauſible name, and more gentle government, and when they alſo began to degenerate, the moderation of laws were adhibited, which might ſet limits to the boundleſs luſts of their government. Now men according to the exigence of times, and their uſual way, ſeeking out new remedies became weary of the old way of government, and ſought out new ways. Now our preſent purpoſe is to handle both kinds of government, namely that wherein as well the the government of Kings as of laws is the moſt powerful; and the worſt kind of Tyranny, wherein all things are contrary to a Kingdom, and have undertaken to compare them one with another.

M. IT is ſo. And I earneſtly expect you would fall upon that.

B. AT firſt then we had agreed, that a King was created for maintaining human ſociety, and we determined his office and duty, that

that by the preſcript of laws he ſhould allow every man his own.

M. I do remember that.

B. FIRST then, he that doth not receive a government by the will of the people, but by force invadeth it, or intercepteth it by fraud, how ſhall we call him?

M. I ſuppoſe, a Tyrant.

B. THERE be alſo many other differences, which I ſhall briefly run through, becauſe any man may eaſily collect them from *Ariſtotle*; for the government of Kings is according to nature, but that of Tyrants is not. A King doth rule his ſubjects, and reign over them by their own conſent. Tyrants reign over them nill they, will they. A Kingdom is a principality of a free man among free men: Tyranny is a principality of a Maſter over his ſlaves. For defence of a Kings ſafety the ſubjects watch and ward, for a Tyrant forrainers do watch to oppreſs the ſubjects. The one beareth rule for the ſubjects welfare, the other for himſelf.

M. WHAT do you ſay of thoſe who have gotten into their hand the ſupream authority by force and without the people's conſent, and yet for many years did ſo rule, that the people were not weary of their government? for what could be wanting in *Hiero* the *Syracuſan* King, or in *Coſmo de Medices* the *Florentine* Duke to make them juſt Kings, except the people's ſuffrages?

B. IN-

B. INDEED we cannot exeme them out of the number of Tyrants. For it was nobly ſpoken by a notable Hiſtorian, albeit you may indeed rule your country and friends by violence and force, and correct their faults, yet it is unſeaſonable. Then again, ſuch do ſeem to do juſt like robbers, who cunningly dividing their ill gotten goods, do ſeek the praiſe of juſtice by injury, and of liberality by robbery, yet do not obtain what they hunt for; by the odiouſneſs of one ill deed they loſe all the thanks of their oſtentative bounty, and ſo much the leſs aſſurance of their civil diſpoſition do they give their ſubjects, and that becauſe they do not that for their ſubjects good, but for their own government, namely, that they the more ſecurely may enjoy their own luſts and pleaſures, and eſtabliſh a ſovereignty over the poſterity to come, having ſomewhat mitigated the people's hatred. Which when they have once done, they turn back again to their old manners. For the fruit which is to follow may eaſily be known by the ſower thereof. For he hath the ſame ſtrength and power to revoke all things at his pleaſure, and to transfer unto himſelf the ſtrength of all laws. Even as if he wou'd abrogate all laws. But this kind of Tyrants had been perhaps tolerable, if without the common deſtruction of all it could have been taken away, even as we do endure ſome bodily diſeaſes rather than throw our life into the hazard of a doubtſome cure. But they who

who bear rule, not for their country's good, but for their own ſelf intereſts, have no regard to the publick utility, but to their own pleaſure and luſt, they place the ſtability of their authority in the people's weakneſs, and think that a Kingdom is not a procuration concredited to them by God, but rather a prey put into their hands. Such are not joined to us by any civil bond, or bond of humanity, but ſhould be accounted the greateſt enemies of God and of all men. For all the actions of Kings ſhould aim at the publick ſafety of their ſubjects, and not at their own wealth. By how much Kings are raiſed above other men, ſo much ſhould they imitate the celeſtial bodies, which having no good offices of ours given to them, yet do infuſe on human affairs a vital and bountiful vertue of heat and light. Yea the very titles wherewith we have honoured Kings (if you remember) might put them in mind of their munificence.

M. METHINKS I remember, namely, that they ſhould uſe a paternal indulgence towards their ſubjects committed to them as towards children; the care of a ſheepherd in procuring their profit; as Generals in maintaining their ſafety, as governours in excellency of vertues, and as Emperors commanding thoſe things which might be uſeful.

B. CAN he then be called a father, who accounts his ſubjects ſlaves? or a ſhepherd, who doth not feed his flock, but devoureth them?

them? or a Pilot, who doth always ſtudy to make ſhiprack of the goods in his ſhip, and who (as they ſay) makes a leek in the very ſhip wherein he ſails?

M. By no means.

B. What is he then, who doth not rule for the people's good, but ſtill doth all for himſelf, who doth not ſtrive with good men in vertue, but contendeth to exceed the moſt flagitious wretch in vices? who leadeth his ſubjects into manifeſt ſnares?

M. Indeed ſuch ſhall not be by me accounted either a General, or Emperor, or Governour.

B. If you then ſhall ſee any uſurping the name of a King, and in no kind of vertue excelling any of the people, but inferior to many therein, not fatherly affectionate towards his ſubjects, but rather oppreſſing them by arrogant domineering, and that thinketh the people is concredited to him for his own gain and not for their ſafeguard; will you imagine that ſuch a man is truly a King, albeit he goes vapouring with a great many in guard about him, and openly be ſeen with gorgeous apparel, and make a ſhew of puniſhments; can he conciliate the people, and catch their applauſe by rewards, games, pompous ſhews, and even mad underminings, and what ever is thought to be magnificent; will you, I ſay, account ſuch a man a King?

M. Nor

M. NOT indeed, if I would underſtand my ſelf aright, but void of all human ſociety.

B. WITHIN what limits do you circumſcribe human ſociety.

M. WITHIN the very ſame limits wherein by your preceeding diſcourſe you ſeemed to include it, namely within the hedge of laws. Which whoſoever tranſgreſs, be they Robbers, Thieves, or Adulterers, I ſee them publickly puniſhed, and that to be accounted a juſt cauſe of their puniſhment, becauſe they tranſgreſſed the limits of human ſociety.

B. WHAT ſay you of thoſe, who would never once enter within theſe hedges?

M. I think they ſhould be accounted enemies to God and men, and reckoned amongſt wolves, or ſome other kind of noiſome beaſts, rather than amongſt men; which whoſoever doth nouriſh, he nouriſheth them for his own deſtruction and others; and whoſoever killeth them, doth not only good to himſelf, but to all others. But if I had power to make a law, I would command (which the *Romans* were wont to do with monſters) ſuch kind of men to be carried away into ſolitary places, or to be drowned in the depths of the ſea afar from the ſight of any land, leſt by the contagion of their carcaſes they might infect other men. And rewards to the killers of them to be diſcerned not only by the whole people, but by every particular perſon; as uſeth to be done

to thoſe who have killed wolves or bears, or apprehended their whelps. For if ſuch a monſter ſhould be born, and ſpeak with a man's voice, and have the face of a man, and likeneſs of other parts, I would have no fellowſhip with him; or if any man diveſted of humanity ſhould degenerate into ſuch cruelty, as he would not meet with other men but for their deſtruction, I think he ſhould be called a man no more than Satyres, Apes, or Bears, albeit they ſhould reſemble countenance, geſture and ſpeech.

B. Now, if I miſtake not, you underſtand what a King, and what a Tyrant the wiſeſt ancients meant in their writings. Will it pleaſe you then that we propoſe ſome Idea of a Tyrant alſo, ſuch as we gave in ſpeaking of a King?

M. Yes, that I do earneſtly deſire, if it be not a trouble to you.

B. You have not forgot, I ſuppoſe, what by the poets is ſpoken of the furies, and by our divines of the nature of evil ſpirits, namely that theſe ſpirits are enemies of mankind, who whilſt they are in perpetual torments yet do rejoice in the torments of men. This is indeed the true Idea of Tyranny. But becauſe this Idea can only be diſcerned in the imagination, but not by any of the ſenſes, I ſhall ſet before you another Idea, which not only the mind may diſcern, but the ſenſes alſo perceive, and as it were repreſented to the very

very eye. Imagine you ſee a ſhip toſſed by waves in the ſea, and all the ſhoares round about not only without haven or harbour but alſo full of moſt cruel enemies, and the Maſter of the ſhip in conteſt with the company, and yet to have no other hope of ſafety than in their fidelity, and the ſame not certain, as knowing well that he puts his life into the hands of a moſt barbarous kind of men, and void of all humanity, whom by money he may hold truſty, and who for greater gain may be conduced to fight againſt him. Such indeed is that life which Tyrants embrace as happy. They are afraid of enemies abroad, and of their ſubjects at home, and not only of their ſubjects, but of their domeſticks, kinsfolk, brethren, wives, children, and near relations. And therefore they have always war, either a foreign war with their neighbours, civil war with their ſubjects, or a domeſtick war within doors, or elſe they are ſtill in fear thereof. Neither do they expect aid any where but by a mercenary way, they dare not hire good men, nor can they truſt bad men; what then in all their life can be to them pleaſant? *Dionyſius* would not let his daughters once become women to trim him, fearing to let the razor come to his throat. *Temoleon* was killed by his own brother, *Alexander Pheræus* by his own wife, and *Sp. Caſſis* by his own father. He that ſtill hath ſuch examples ſet before his eyes, what a

torture do you imagine he carryeth about in his breaſt? ſeeing he thinks that he is the mark ſet for all mankind to ſhoot at. Neither is he only while awake tormented with theſe tortures of conſcience, but alſo is awaked out of his ſleep by terrifying ſights both of the living and dead, and agitate by the fire-brands of helliſh furies. For the ſeaſon which nature doth grant for reſt to all creatures, and alſo to men for relaxation of their cares, to him is turned into horrours and puniſhment.

M. FORSOOTH you have handled theſe things very acutely, but I know not if truly alſo, but yet, if I miſtake not, they make not ſo much for our purpoſe. For they who have the power to chuſe what Kings they pleaſe, in them is the power to bind by laws ſuch as they have choſen. But you know that our Kings are not choſen, but born Kings. To whom I have always thought it to be no leſs hereditary, that their will and pleaſure ſhould ſtand for law, than the Kingdom itſelf. Nor am I raſhly induced to be of this opinion, but convinced by ſeveral great authors, with whom I am not aſhamed to be miſtaken, (if at all I be in any miſtake or error.) For not to make mention of others, Lawyers do affirm, that by the royal law which is made for the government of Kings, all the people's power is ſo tranſmitted into them, that their will and

pleaſure

pleaſure ſhould be accounted for laws. And indeed from this law did thoſe threatnings of a certain Emperor ariſe, that he would quite take away from Lawyers all their ſcience, wherein they ſo much boaſt, by one edict.

B. You do very well, that whilſt you cite a moſt wicked author of one of the greateſt deeds, thought good to ſuppreſs his name. For that was *C. Caligula*, who wiſhed but one neck for all the people of *Rome*. Now in that Emperor there was nothing of a man, far leſs of a King, beſide his ſhape, you are not then ignorant how much authority may be due to him. But as for the royal law, what it is, when, by whom, and in what words it was made, the very Lawyers make no mention. For that power was never in any of the *Roman* Emperors, ſeeing from them appeals were made to the people. But that ordinance, whereby *L. Flaccus* having oppreſſed the liberty of the people of *Rome*, eſtabliſhed by the ſilence of other laws; the Tyranny of *L. Sylla*, no man did ever hold for a law. For of that ordinance ſuch was the ſtrength, that whatever *L. Sylla* had done, ſhould be ratified, which law never any free people was ſo infatuate, as willingly to permit to be impoſed on them. Or if any ſuch were, he were indeed worthy to ſerve perpetually Tyrants, and be puniſhed for his folly. But if any ſuch law have been, let us think

it was an example propoſed to us for caution, but not for imitation.

M. INDEED you admoniſh well. But that admonition belongeth to them in whoſe power it is to create ſuch Kings as moſt pleaſe them, but to us it doth not at all belong, who do not by ſuffrages elect the beſt Kings, but accept of thoſe that by chance are given us. That alſo of a certain Lawyer ſeems properly to quadrate with us, who have given to our King's *Anceſtors* that right and authority over us and our poſterity, that they and their poſterity ſhould perpetually hold their Empire and authority over us. I wiſh then you had admoniſhed them (I mean our *Anceſtors*) who once had it in their own power entirely to admit ſuch Kings as they pleaſed. But now that counſel of yours too late ſerves only for this, not to amend the faults that are not in our power, but deplore our *Anceſtor*'s folly, and acknowledge the miſery of our condition, For what can be left to thoſe that are made ſlaves, but to be puniſhed for other men's folly? and that our puniſhment may be made more light, let us aſſwage them by patience; let us not provoke their wrath, by tumultuating importunely, whoſe dominion over us we cannot caſt off, nor diminiſh their power, nor flee from their force or weakneſs. Now that royal law, to which you are ſo much an adverſary, was not made in favour of Tyrants, as you would have it ſeem to be,

becauſe

becauſe it was approved by *Juſtinian* a very juſt Prince. With whom ſo plain flattery would not have had place. For with a fooliſh Prince, of the Poet would prevail that *whom doth falſe honour help, or lying infamy terrifie, but a lewd man and a lyar?*

B. INDEED *Juſtinian*, as hiſtory reports, was a great mighty man albeit ſome do report him to have been cruelly ingrate to *Belleſarius*. But let him be ſuch as you judge he was, yet you may remember, that it is recorded by ſome almoſt of that ſame age with him, that *Tribonius*, a chief man amongſt the compilers of theſe laws, was a very wicked man, and ſo might eaſily be induced to gratifie alſo a very bad Prince. But even good Princes do not hate this kind of flattery. For *even thoſe who will not kill any man, do yet deſire to have it in their power, and there is nothing which he dare not believe of himſelf, ſeeing his power equal to that of the Gods is commended.* But let us return to our own Princes; to whom you ſay the Kingdom doth come by inheritance and not by ſuffrages. Now of our own only I ſpeak, for if I ſhall digreſs to ſpeak of foreign Princes, I fear leſt our diſcourſe become more prolix than we intended.

M. I think you ſhould do ſo. For foreign affairs do not much belong to our diſpute in hand.

B. THAT I may therefore begin at the firſt principles. This is ſufficiently agreed upon, that our Princes were choſen for their virtue, who would govern others.

M. SO do the writers of our affairs record.

B. NOR is this leſs known, that many who have reigned cruelly and wickedly have been called to account by their ſubjects; ſome adjudged to perpetual impriſonment, others puniſhed partly by exile, and partly by death, againſt whoſe killers no inquiſition was ever made, even when their ſons or kinſmen were aſſumed into their ſtead. But who ever had killed good Kings, were moſt ſeverely puniſhed, ſo as no where elſe was murther more ſeverely revenged. And becauſe it would be tedious to rehearſe every one, I ſhall produce ſome few of theſe laſt Kings, whoſe memory is moſt recent. The nobility did ſo grievouſly puniſh the murther of *James* the firſt, (having left as heir his ſon of ſix years of age) that by a new and exquiſite kind of puniſhment they put to death ſeveral perſons of very eminent families, and peers of the land, both for wealth and vaſſalage eminent: On the contrary, who did condole the death of *James* the third, a man flagitious and cruel? far leſs revenge it? But in the death of *James* the fourth his ſon, the ſuſpicion of the crime was puniſhed with death, neither were our anceſtors piouſly inclined

clined towards good Kings, but alſo gentle and merciful towards wicked Kings. For when one of King *Culen*'s enemies had killed him in his journey, whilſt he is coming to give an account of his adminiſtration, he was ſeverely puniſhed by a ſentence of the Eſtates of Parliament. And likewiſe was puniſhed as an enemy he who had killed *Evenus* in priſon, who had been adjudged to perpetual bonds. And the violent death or parricide of him they puniſhed, whoſe wicked and vicious life all men had hated.

M. I do not ſo much enquire at preſent what ſome time hath been done, as by what right Kings reign amongſt us.

B. THAT we may therefore return thereunto, as in our firſt Kings until *Kenneth* the third, who firſt ſetled the kingdom in his own family, it is very clear what was the peoples power in creating their Kings, and taking order with them, even ſo it is neceſſary we know, that he either did that againſt the peoples will, or by perſwaſion obtained it.

M. THAT cannot be denied.

B. MOREOVER, if by force he compelled the people to obey him, then how ſoon the people began to have confidence in their own ſtrength, they might have caſt off that violent yoke of Government impoſed upon them: Seeing all laws received by kings and people do pronounce, and nature itſelf doth

call

call for it, that whatever is done by force and violence, may be undone by the like violence.

M. WHAT if the people, being by fraud circumvented, or by fear forced, did ſurrender themſelves into that ſlavery; what for excuſe can be pretended, but that they perpetually continue in that caſe, into which it was once agreed they were to be in?

B. IF you debate with me from that agreement, what excuſe there is for undoing the ſame. I ſhall on the other hand lay down ſome reaſons why pactions and agreements may be diſſolved. And firſt of all, ſuch as are made through force or fear, in all commonwealths, concerning theſe there is a ſure law, drawn from Nature's ſpring. Laws allow reſtitution to be fully made to ſuch as are by fraud circumvented, and think that it ſhould be kept for pupils, and ſuch other perſons, who by juſt law they would have to be defended. What aſſembly therefore of men can require more juſtly to have reſtitution, than a whole people, to whom the wrong is done, which indeed is not done againſt one part of the commonwealth, but floweth far abroad into all the members of that politick body?

M. I know this law to be made uſe of in the caſes of private perſons, nor is it unjuſt. But there is no neceſſity we ſhould debate herein, ſeeing it is far more credible (which is recorded by Hiſtorians) that that right

right was by the peoples will granted to Kings.

B. IT is alſo credible, that ſo great a matter was not obtained without ſome great cauſe.

M. I do eaſily aſſent thereto.

B. WHAT do you think was the chief cauſe thereof?

M. WHAT other, except that which is recorded? Wearineſs of ambition, tumults, murthers, inteſtine wars, often with the utter deſtruction of the one party, and always with very great damage of both: For ſuch as did obtain the Government, endeavoured to cut off their brethren, and almoſt all their near kinſmen, that they might leave the Government the more peaceable to their children, even as we hear is done amongſt the *Turks*, and as we ſee amongſt the chief of Clans in our Iſlands, and in *Ireland*.

B. TO which of the two do you think was that contention moſt pernicious, to the people or to the Princes?

M. CERTAINLY to the Kings, ſeeing the greateſt part of the people ſecuring themſelves doth uſually ſtand ſpectators of Princes conteſts, and yield always as a prey to the victors.

B. IT ſeems then that Princes, rather for themſelves, than for the good of the people, deſired to eſtabliſh the Kingdom in their own family.

M. THAT

M. THAT is very probable.

B. NOW that they might obtain that which did ſo much concern the perpetual dignity, wealth and ſafety of their family, it is probable, that they did diſpenſe or remit to one another ſomewhat of their right: and that they might the more eaſily obtain the peoples good will, liking and conſent, they on their part gave them ſome eaſe.

M. I believe that.

B. YOU will certainly confeſs it incredible, that for ſo great a benefit beſtowed on their Kings, they ſhould endure to be in a worſe caſe than formerly they were in.

M. IT is altogether incredible.

B. NEITHER would Kings have deſired it with ſo great ambition, if they had known it would prove hurtful to their children, and unprofitable to the people.

M. NOT at all.

B. IMAGINE then that ſome one in parliament of the free people did freely ask the King, What if to any King ſhould ſucceed a ſon that is a fool, or mad? Will you ſet ſuch over us to rule us, who cannot rule or govern themſelves?

M. I think there was no need to make uſe of that exception, ſeeing by the laws it is provided againſt ſuch a caſe.

B. WELL ſaid, indeed. Let us then ſee, if Kings had obtained from the people a free power over the laws, whether that had

had been unprofitable, eſpecially to thoſe who deſired to foreſee the good of their own family in time coming.

M. WHY ſhall we think that that power would be unprofitable?

B. BECAUSE nothing doth ſo much contribute for the continuance of a Government, as that temperament of Government, ſeeing it is both honourable for Kings, and moderate and ſafe for the people. The mind of man hath ſomewhat ſublime and generous imbred therein by nature, that it will obey none, unleſs he govern profitably: Nor is there any thing more prevalent for maintaining human ſociety, than the mutual exchange of benefits, and therefore *Theopompus* ſeems to have wiſely anſwered his wife upbraiding him, that by adding the *Ephory* he had diminiſhed the power of his authority, and had left the Kingdom to his ſons leſs than he had gotten it. *It is*, ſaith he, *ſo much the more firm and ſure.*

M. WHAT you relate of continuance, I perceive is moſt true. For I think the Kingdoms of the *Scots* and *Danes* are the moſt ancient of all that are in *Europe*, nor do they ſeem by any other means to have attained that antiquity, than by the moderation of the ſupreme authority, whilſt in the mean time the Kingdoms of the *French*, *Engliſh* and *Spaniards*, have paſt ſo often out of

of one family into another. But I do not know if our Kings have been ſo wiſe as *Theopompus*.

B. As they have not been ſo prudent, do you imagine that the people were ſo fooliſh, as to neglect an occaſion ſo opportune put into their hand? Or that they were ſo ſtruck with fear, or ſeduced by flatteries, as to give themſelves over into ſlavery willingly?

M. PERHAPS it was not. But if the people (which indeed might be) were ſo blind, that they did not ſee what might concern their own good, or being careleſs would not ſee what might be for their benefit, ſo as to contemn it, ſhould they not then be juſtly puniſhed for their folly?

B. IT is not probable, that any ſuch thing was done, ſeeing we may ſee the contrary to be obſerved even to our days. For beſides that wicked Kings, as often as they intended tyranny over their ſubjects, were always reſtrained, ſome veſtiges of the ancient cuſtoms do yet continue in ſome ancient families. For the old *Scots* even to our very days do chuſe their heads of Clans, and having choſen them, do give them a Council of Elders, to which Council whoſoever gives not obedience, is deprived of all honour and dignity. What therefore is with very great care obſerved in the parts, would they be negligent of for the ſecurity and ſafety of all? And would they willingly redact themſelves into bondage to him, who was to poſſeſs a lawful

ful Kingdom inſtead of ſome benefit? And would they freely give over their liberty acquired by vertue, defended by arms, not interrupted for ſo many ages, to one not expecting it, without force, without war? For the calamity of *John Baliol* doth ſhew that that power was never granted to our Kings, beſides the puniſhments ſo often taken for their male-adminiſtration. Who about two hundred and ſixty years ago was by the nobility rejected, becauſe he had ſubjected himſelf and his Kingdom to the authority of *Edward* King of *England*, and *Robert* the firſt was ſubſtitute in his ſtead. The ſame doth alſo ſhew that perpetual cuſtom continued from the beginning of our Government.

M. WHAT cuſtom do you ſpeak of?

B. WHEN our Kings are publickly inaugurat, they ſolemnly promiſe to all the people, that they will obſerve the laws, rites, and old ſtatutes of their predeceſſors, and uſe the ſame power which they have received from them, that whole order of ceremonies doth ſhew, and the firſt entry of our Kings into every City, from all which it may be eaſily underſtood, what kind of power they did receive from our predeceſſors, to wit, none other than that they ſwear to maintain the laws being choſen by ſuffrages. This condition of reigning did God propoſe to *David*, and his poſterity, and promiſeth they ſhould reign ſo long, as they ſhould obey the laws

laws he had given them, thoſe things indeed they do, as is probable that our Kings received from our anceſtors a power not immenſe, but within certain limits bounded and limited. And further, there was the confirmation of a long time, and the uſurpation of a perpetual right by the people, never reprehended by a publick decree.

M. BUT I fear it cannot be eaſily obtained of Kings as being perſwaded by that probability to condeſcend to theſe laws, however ſworn unto, or uſurped by the people.

B. I alſo believe, it is no leſs hard to perſwade the people to paſs from the right received from their anceſtors, approved by the uſe of ſo many ages, and practiſed by one continual tenour. I do not think it needful to proceed by conjectures what the people is to do, ſince I ſee what they have done already: But if by the obſtinate pertinacy of both the buſineſs come to arms, he that prevaileth will give what law and right he pleaſeth to the vanquiſhed; but this will not longer continue than he who is vanquiſhed, having again gathered together his forces, ſhall take up arms again. In all which contentions men uſually ſtill fight with very great damage of the people, but with the utter overthrow of Kings. For from this ſpring do flow all the deſtructions of all kingdoms.

M. IT muſt needs be ſo.

B. I have, perhaps, gone back further than

than was needful, to the end you might clearly underſtand what kind of Government there was amongſt us of old. For if I had reaſoned with you according to the rigour of the law, I might have gained my point in a far more compendious way.

M. ALBEIT you have almoſt ſatisfied me already, yet I ſhall willingly hear what that is.

B. I would then have you firſt of all to anſwer me this queſtion, Do you not approve the definition of law ſet down by lawyers, who ſay that law is, that which the people knew when demanded by him to whom the prerogative of demanding belongeth?

M. INDEED I do approve it.

B. WE have agreed, that the faults of laws being found out, they may be amended or abrogated by the Lawgivers.

M. WE did ſo.

B. I ſuppoſe you perceive now, that ſuch as are born Kings are by the laws and ſuffrages of the people created, no leſs than thoſe whom we ſaid were elected in the beginning. And that in receiving of laws there will not be remedies wanting in the people, who are the Lawgivers, not only againſt force and fraud, but alſo againſt negligence.

M. I perceive that clearly.

B. ONLY here is the difference, that the law concerning our Kings was made ſeveral

ages before; and when any doth enter into the Kingdom, there uſeth to be no new law made, but the old law is approven and ratified. But amongſt thoſe who have their meeting of Eſtates at the election of every King, the law uſeth to be made, the King created and approved, and ſo to enter into his government.

M. It is ſo.

B. Now if you pleaſe, let us briefly recapitulate what we are at accord in from the very beginning. So that if ought be raſhly approven, it may be retracted.

M. I am content.

B. First of all then, it ſeems that a King is created for the peoples ſake, and that nothing more excellent is given us of God than a good King, and more peſtilentious than a wicked King.

M. Very right.

B. We have alſo ſaid, that a wicked King is called a Tyrant.

M. We have ſaid ſo.

B. And becauſe there is not ſuch plenty of good men, ſo as to chuſe thoſe who may prove good Kings, nor ſo great a happineſs of birth, as that good luck may offer us thoſe that are good? If we have not ſuch as we would wiſh, yet we have ſuch as either conſent hath approved, or chance hath offered. Now the hazard that occurreth either in chuſing new Kings, or in approving ſuch

as

as are given us by birth, was the cauſe that we deſired laws, which might modify the government of Kings. Now theſe laws ſhould be nothing elſe but the expreſs image (as far as may be) of a good Prince.

M. We are at accord in that alſo.

B. It now remaineth, as I ſuppoſe, for us to ſpeak of the puniſhment of Tyrants.

M. That only ſeems to remain unſpoken of.

B. If then a King break all the bonds of laws, and plainly behave himſelf as a publick enemy, what think you ſhould be done in this caſe?

M. Indeed I am at a ſtand here. For albeit the reaſons you have given ſeem to convince me, that we ought to have no ſociety with that King; yet ſo great is the ſtrength of a conſtant cuſtom, that in my opinion it hath the ſtrength of a law: Which cuſtom doth ſo cloſely cleave to men in their minds, that if at any time it hath brought in an errour, better it is to tolerate it, than to marr the conſtitution of the whole body, whilſt we endeavour to cure a diſeaſe that is but ſmall by cuſtom. For ſuch is the nature of ſome diſeaſes, that better it is to endure the pain they bring, than to call for doubtſome remedies, in the applying whereof, albeit the cure may be wrought, yet they bring ſuch ſharp pains in their cure, as that the cure of the diſeaſe is more pernicious

than the diſeaſe itſelf. Next, that which troubles me more is, I ſee that government which you call Tyranny confirmed by the word of God, and what you abhor as the utter overthrow of laws, God doth call the law of the Kingdom: The authority of that paſſage of Scripture doth move me more than all the arguments of Philoſophers. If you do not explain this to me, the comments of men will not be of ſo great account with me, but that I may inſtantly fall away to the adverſaries ſide.

B. YOU are, as I perceive, in the common errour, and that very grievous, who do endeavour to confirm Tyranny by Tyranny: For how great the Tyranny of cuſtom is in the minds of men, wherein it hath taken deepeſt root, and too often we have found it in this our age, *Herodotus*, an ancient writer, doth give us warning by an old example; but I need not old examples. Be well adviſed. Conſider with your ſelf how many things there be of great moment, wherein you, following the dictates of reaſon, have fallen from a cuſtom inveterate ſo many ages paſt, ſo that now you might have learned by domeſtick experiments, that there is no cuſtom more full of dangers than that which in a publick way they command us to follow. I bid you look well to it round about, how many ruines, and how great ſlaughters will you ſee therein? But if it be

more

more clear (as we ſay) than the very light, I need not tarry longer in proving or illuſtrating a thing ſo perſpicuous. Now as for that paſſage of Scripture, which from the hiſtory of the Kings you rather ſignify than explain, beware, I pray you: You think that the things which God doth abhor in the life of Tyrants, are by him allowed to Kings. Now leſt this be, I bid you firſt conſider what that people ſought of the Lord: then what cauſes of a new petition they had. Laſtly, what the Lord did anſwer them. Firſt, they ask a King; but what a King? a lawful King? Such a one they had. For *Samuel* was given them by the Lord, whoſe prerogative it was to ſet a King over them. He had for many years judged them lawfully, according to preſcript of God's law; but whilſt in his old age his ſons did judge, they did many things wickedly, and judged contrary to the laws. I ſee no reaſon why they ſhould ask the change, or rather amendment of the government, or expect the ſame from the Lord, who not long before had quite rooted out the whole family of *Heli*, almoſt for the like cauſe. What do they then ask? A King, ſuch as their neighbouring nations had, who at home might be a judge to them, and abroad a leader of their armies. Now in effect ſuch were Tyrants: For as the people of *Aſia* are of a more ſervile diſpoſition than thoſe of *Europe*, ſo did they the

more eaſily obey the commands of Tyrants. There is no mention made, for ought I know, by any Hiſtorian of any lawful King in *Aſia*. Moreover, it doth eaſily appear that a Tyrant, and not a King, is there deſcribed, in regard the Lord in *Deuteronomy* had preſcribed to them a form, not only different from this in that place cited by you, but alſo plainly contrary thereto; according to which form *Samuel* and the other Judges had judged ſo many years, which whilſt they did reject, the Lord complains that he was by them rejected.

M. BUT the Lord doth not call him Tyrant, but ever King.

B. HE calls him indeed King: For it is peculiar to the Lord, to uſe the common ſpeech of the people, as often as he ſpeaketh to a people. And therefore he maketh uſe of that word with the vulgar people: But leſt an ambiguous uſe thereof might deceive, he doth eloquently expound what the uſe of that word was amongſt neighbouring nations.

M. AS that may be true, yet that of the apoſtle *Paul* doth urge us more narrowly, who commandeth us to pray for the ſafety of Princes: He is ſo far from permitting us to revile Government, much leſs to dethrone ſuch as are inveſted therewith, or to kill them being thrown down. But what Princes doth he recommend to our prayers? The moſt cruel that ever were, *Tiberius*, *Caligula*, *Claudius*, *Nero*. For *Paul*'s Epiſtles were almoſt contemporary with them.

B. THAT

B. THAT you make ſo much account of the authority in *Paul*, ſo as one ſentence of his hath more weight with you than the writings of all Philoſophers and Lawyers, I think you do well; but ſee that you conſider well his judgment, or meaning; for you muſt not examine the words only, but in what time, to whom, and why he wrote. Firſt then let us ſee what *Paul* did write. For he writeth to *Titus*, chap. 3. *'Put them in mind to be ſubject to principalities and powers, and to be ready to every good work.* I ſuppoſe you ſee what end of obedience and ſubjection he appoints. He likewiſe to *Timothy*, *Chap.* 2. doth write, that we ſhould pray for all men, *even for Kings, and other Magiſtrates, that*, ſaith he, *we may live a peaceable life in all godlineſs and honeſty.* And here you ſee what end of praying he appoints; namely, not for the King's ſafety, but the Churches tranquility, from which it will be no difficult thing to conceive alſo the form of prayer. Now in his Epiſtle to the *Romans*, he doth define a King near to a logick ſubtilty; *For*, ſaith he, *he is a Miniſter to whom the ſword is given by God, for puniſhing the wicked, and for cheriſhing and relieving the good.* For, ſaith *Chriſoſtom*, theſe things are not by *'Paul* written of a Tyrant, but of a true and lawful Magiſtrate, who is the Vice-gerent of the true God on earth, whom whoſoever reſiſteth, doth cer-

tainly reſiſt the ordinance of God. Now albeit we ought to pray for wicked Princes, we ſhould not thence conclude, that their vices ſhould not be puniſhed; nor will it more follow that we ſhould not puniſh the rapines of *Robbers*, for whom we are alſo commanded to pray. And if we ſhould obey a good Prince, it will not therefore follow that we ſhould not reſiſt a wicked Prince. But if you conſider the reaſon which did move *Paul* to write theſe things, look that the place or argument make not much againſt you. For he wrote this to chaſtiſe the raſhneſs of ſome, who did deny the authority to be neceſſary for *Chriſtians*. For ſince the power of Magiſtrates is ordained againſt wicked men, that we may all live righteouſly; and an example of divine Juſtice might remain amongſt men, they affirmed that there was no uſe thereof amongſt men, who abhor ſo much the contagion of vices, as that they are a law to themſelves. *Paul* doth not therefore ſpeak of thoſe who bear rule as Magiſtrates, but of Magiſtracy itſelf, that is, of the Function and office of thoſe who rule; nor yet of one or other kind of Magiſtracy, but of every form of a lawful Magiſtracy. Nor doth he debate with thoſe who think that wicked Magiſtrates ſhould be reſtrained, but with thoſe men who deny all authority of Magiſtrates, who abſurdly interpreting *Chriſtian* liberty, did affirm

firm it to be an indignity for thoſe that were made free by the Son of God, and ruled by the Spirit of God, to be under the power of any man. That *Paul* might refute their error, he ſheweth, that Magiſtracy is a thing not only good, but alſo ſacred, namely an ordinance of God, and for that end inſtitute, that the aſſemblies and incorporations of men might be ſo continued, that they might acknowledge God's benefits towards them, and might forbear to wrong one another. God commanded them to be keepers of his laws who were conſtitute in dignity. Now if we confeſs laws to be good (as indeed they are) and the keepers thereof worthy of honour, we will be forced to confeſs that the office of the keepers is a good and profitable thing. But Magiſtracy is terrible: But to whom? to the good, or bad? To the good it is not a terror; it being to them a defence from injury; but to wicked men it is a terror; it is not ſo to you, who are ruled by the Spirit of God. But you will ſay to me, what need have I then to be ſubject to Magiſtracy, if I be the Lord's freeman? Yea, that you may approve your ſelf to be the Lord's freeman, obey his laws; for the Spirit of the Lord, by whom you boaſt to be led and governed, is both the Lawgiver, and approver of Magiſtrates, and alſo the author of obedience to Magiſtrates. We therefore in this will eaſily agree together, that there is need of Magiſtracy

ſtracy even in the beſt Commonwealths, and that we ſhould every way honour the ſame. But if any man think otherwiſe, we account him mad, infamous and worthy of all puniſhment; for he doth plainly contraveen the will of God revealed to us in the Scriptures. But as for *Caligula*, *Nero*, *Domitian*, and ſuch like Tyrants, why they ſhould not be puniſhed as breakers of divine and human law, you have nothing here from *Paul*, who treats of the power of Magiſtrates, but not of the wicked Miniſters of that power; nor will they be at all Magiſtrates, if you examine that kind of Tyrants according to *Paul*'s rule. But if any will debate that wicked Princes are alſo ordained by God, look that this his diſcourſe be not captious. For (as they ſay in proverb) God may put a hard wedge to cleave a hard knot, ſo doth he ſet up a wicked man for puniſhing of wicked men; but no man in his right wits dare affirm, that God is therefore the author of evil, or wickedneſs, even as no man is ignorant that he is the author of puniſhing wicked men. A good Magiſtrate alſo for the moſt part chuſeth a wicked man to be an hangman for puniſhing guilty perſons. And albeit indeed that a Magiſtrate doth aſſume ſuch an hangman for that office, yet no impunity is granted him of all his miſdeeds. Nor will the Magiſtrate have him to be ſo above the laws, as that he cannot be queſtioned thereby. I will not ſtay longer upon this ſimili-

tude,

tude, leſt Court-flatterers cry out that I ſpeak baſely of the ſupream Magiſtrate. But however they exclaim, certainly this they cannot deny, that the hangman's function is a part of the publick office, and perhaps of the royal office, or at leaſt by the teſtimony of very Kings; who complain that their Majeſty and perſon is wronged, as oft as any of their publick Miniſters is wronged, or violence done to them. Now the puniſhment of wicked Malefactors, and whatever elſe of that kind, doth belong to the King's office. What ſay you of Majors or Provoſts in Towns? What of Generals of Armies? What of Bailies? What of Sheriffs? Doth not *Paul* command us to be ſubject to them? Doth he hold them for private perſons? Now an account uſeth to be taken for male-adminiſtration of all, not only of inferiour Magiſtrates, but alſo of ſuch as are equal to Kings. I would therefore have them, who from *Paul*'s words do dream that ſo great a power is given to Kings, to ſhew me from him, that Kings only are here to be underſtood by the name of power, and therefore they only are to be exempted from the puniſhment of laws; or if, when we ſay powers, other Magiſtrates be alſo underſtood by the ſame Author, who are ordained by God for the ſame uſe: I would have them alſo to ſhew me where all Magiſtrates are looſed from the laws, and pronounced free from the fear of puniſhment; or if this immunity be

granted

granted to Kings only, but denied to others who are ſet in authority.

M. BUT *Paul* will have all to be ſubject to the higher powers.

B. HE commandeth ſo indeed, but by this name of power he muſt needs comprehend other Magiſtrates, unleſs pethaps we imagine that *Paul* doth think no power at all to be in thoſe Commonwealths, which have not kingly Government, but plainly an anarchy therein.

M. I do not believe that, nor is it probable; and the rather I am of this opinion, becauſe the current of all the moſt learned Interpreters on the place make for you; who think that *Paul*s diſpute there was againſt thoſe that affirmed that no Laws and Magiſtrates did at all belong to them.

B. WHAT ſay you to that which I lately ſpoke? Do you think, that thoſe Tyrants before mentioned, of all men the moſt cruel, are meant by the Apoſtle?

M. Yes, but what produce you againſt me to hinder me from the belief thereof? eſpecially ſeeing *Jeremy* doth earneſtly adviſe the *Jews*, and that by command of God, to obey the King of *Aſſyria*, and by no means to reject his authority, and thence they infer by the like reaſon, that obedience ſhould be given to other Tyrants alſo, how cruel ſoever.

B. THAT

B. THAT I may anſwer firſt to what you laſt ſpoke, you muſt take notice, that the Prophet doth not command the *Jews* to obey all Tyrants, but the King of *Aſſyria* alone: Now if you would conclude the form of a law from that which is commanded to be done to one ſingle perſon, firſt you are not ignorant (for Logick hath taught you that) what a great abſurdity you will make; next you will be in danger to be aſſaulted by the oppoſers of Tyranny with the like weapons: For you muſt either ſhew what ſingular thing there is in that matter, or propoſe it to be imitate by all every where; or if you cannot do this, you muſt acknowledge, that whatever is enjoined concerning any one perſon by any ſpecial command of God, it doth alike belong to all. If you ſhall once admit this (which you muſt needs do) it will be inſtantly objected, that *Ahab* was killed by God's command, and a reward was alſo promiſed and performed to him that ſhould kill him. Whenever therefore you betake your ſelf to that refuge, you muſt obey all Tyrants; becauſe God by his Prophet did command his people to obey one Tyrant. It will be inſtantly replied, that all Tyrants ought alſo to be killed, becauſe *Ahab* at the command of God was killed by the Captain of his hoſt. Therefore I adviſe you to provide a more firm defence from Scripture for Tyrants; or then laying the ſame aſide at preſent,

ſent, you may have your recourſe to the Philoſophers ſchool.

M. I ſhall indeed think upon it. But in the mean time let us return from whence we have digreſſed. What do you bring from Scripture, why Tyrants may be be lawfully killed?

B. FIRST of all I proffer this, that ſeeing it is expreſly commanded to cut off wickedneſs and wicked men, without any exception of rank or degree, and yet in no place of ſacred Scripture are Tyrants more ſpared than private perſons. Next, that the definition of powers delivered by *Paul* doth not wholly belong to Tyrants, becauſe they accommodate not the ſtrength of their authority for the benefit of the people, but for fulfilling their own luſts. Farther, we ſhould diligently conſider how much power *Paul* doth grant to Biſhops, whoſe function he doth highly and truly praiſe, as being ſome way like unto Kings, as far as the nature of both their functions can admit. For Biſhops are Phyſicians of internal diſeaſes, as Kings are Phyſicians of external diſtempers; and yet he would neither of them to be free from, or not liable to the juriſdiction of the other. And even as Biſhops are ſubject to Kings in the exerciſe of their civil Government, ſo ought Kings to obey the ſpiritual admonitions of Biſhops. Now albeit the amplitude and dignity of Biſhops be ſo great, yet no

law

law divine or human doth exeme them from the puniſhment of crimes. And, to paſs by others, the very Pope, who is accounted the Biſhop of Biſhops, who ſo exalts himſelf above all Kings, that he would be accounted a certain God amongſt men, yet is he not exempted from the puniſhment of laws, no not by his own Canoniſts, a kind of men very devoted to him. For ſeeing they would think it abſurd that God (for they do not heſitate to call him thus) ſhould be obnoxious to men's cenſure, and think it unjuſt that the greateſt crimes and moſt filthy abominations ſhould paſs unpuniſhed in any, and yet they have found out a way whereby crimes may be puniſhed, and the Pope accounted ſacred and inviolable. For the privilege of the Pope is one thing, and of that man who is Pope is another, ſay they; and whilſt they exeme the Pope (whom they deny can err) from the cognition of the laws, yet do they confeſs him to be a man obnoxious to vices and puniſhment of vices; nor have they more ſubtilly than ſeverely declared their judgment herein. It would be tedious to rehearſe, what Popes (to ſpeak after their uſual way) what men perſonating Popes, who not only alive were forced to renounce their popedom, but being dead were pulled out of their graves, and thrown into *Tiber*. But to omit old Hiſtories. The recent memory of Pope *Paul* the fourth is freſh in our mind, for his own

Rome

Rome did witneſs a publick hatred againſt him by a new kind of decree. For they vented their fury (he being by death taken away) againſt his neareſt kinsfolk, his ſtatues, and painted images or pictures. Nor ſhould this interpretation ſeem more ſubtil, whereby we ſeparate the power from the perſon in power, than philoſophy doth acknowledge, and the ancient interpreters do approve, nor is the rude multitude and ſtrangers to ſubtil diſputing ignorant thereof; for the meaneſt tradeſmen take it for no blot upon their trade, if a Smith or Baker be hanged for robbery, but are rather glad that their ſociety is purged of ſuch villains. But if there be any of another mind, I think it is to be feared, that he ſeems to be rather grieved at thoſe mens puniſhment with whom he is aſſociate in their villany, than for the infamy of their ſociety. I am of the opinion, if Kings would abandon the counſels of wicked men and flatterers, and meaſure their own greatneſs rather by duties of virtue, than by the impunity of evil deeds, they would not be grieved for the puniſhment of Tyrants, nor think that royal Majeſty is leſſened by whatſoever deſtruction of Tyrants, but rather be glad that it is purged from a moſt filthy blot of wickedneſs; eſpecially ſeeing they uſe to be highly offended with robbers, and that very juſtly, if any of them in their malefices pretend the King's name.

M. For-

M. FORSOOTH, they have juſt cauſe; but laying theſe things a-ſide, I would have you go on to the other head you propoſed.

B. WHAT heads do you mean?

M. NAMELY in what time, and to whom *Paul* wrote theſe things, for I deſire to know what the knowledge thereof doth make for the argument in hand.

B. I ſhall herein obey you alſo. And firſt I ſhall ſpeak of the time: *Paul* wrote theſe things in the very infancy of the Church, in which time it was not only neceſſary to be blameleſs, but none was to give occaſion to ſuch as ſought occaſion of reproaching, and unjuſt cauſes of ſtaining the profeſſors of Chriſtianity? next he wrote to men of ſeveral nations, and ſo gathered together into one ſociety out of the whole body of the *Roman* Empire, amongſt whom there were but few very rich, yea almoſt none, who either had ruled, or could rule, or were in any great account amongſt their fellow-citizens, they were not ſo many in number, and theſe almoſt but ſtrangers, and for the moſt part but lately freed of bondage, and the other but tradeſmen and ſervants. Amongſt them there were many who did farther pretend chriſtian liberty, than the ſimplicity of the Goſpel could ſuffer. Now this company of people out of the promiſcuous multitude, which did won their living, though meanly, by hard labour, was not to be ſo careful of the ſtate of the Com-

monwealth, of the Majeſty of the Empire, and of the converſation and duty of Kings, as of the publick tranquility, and their domeſtick affairs, nor could they juſtly claim any more, than to lye lurking under the ſhadow of whatever Government they were under. If that people had attempted to lay hold upon any part of Government, they ſhould have been accounted, not only fooliſh, but mad. Nor ſhould they come out of their lurking holes to breed trouble to thoſe that did hold the helm of publick affairs in hand. Immature licentiouſneſs was alſo to be repreſſed, an unfit interpreter of chriſtian liberty. What then doth *Paul* write? doubtleſs, new precepts; no, but only theſe uſual precepts, namely, that Subjects ſhould obey their Rulers, ſervants their maſters, and wives their husbands; nor ſhould we think the Lord's yoke, how light ſoever, doth liberate us of the bonds of our duty, but with a more attentive mind than before to be bound thereunto, ſo that we ſhould omit nothing through all the degrees of duties in our relations, that might any ways make for acquiring the favour and good will of men. And ſo it ſhould come to paſs, that the name of God ſhould be well ſpoken of amongſt the Gentiles becauſe of us, and the glory of the Goſpel more largely propagate. For performing of theſe things, there was need of publick peace, the keepers whereof were Princes and Magiſtrates, albeit wicked. May it pleaſe you, that

that I ſet before you a manifeſt repreſentation hereof? I imagine that one of our Doctors doth write to the Chriſtians, that live under the *Turks*; to men, I ſay, of mean fortune, ſore dejected in mind, weak and few in number, and expoſed to the injuries of all and every one. What elſe, I ask you, would he adviſe them; than what *Paul* did adviſe the Church that then was at *Rome*, or what *Jeremy* adviſed the exiles in *Aſſyria*? Now this is a moſt ſure argument that *Paul* had a regard to thoſe men's condition to whom he did write, and not to all others, becauſe he diligently ſets home the mutual duties of husbands towards their wives, of wives towards their husbands, of parents towards their children, and of children towards their parents, of ſervants towards their maſters, and of maſters towards their ſervants. And albeit he writes what the duty of a Magiſtrate is, yet he doth not give them any particular compellation, (as he had done in the preceeding relations.) For which cauſe we ſhall judge that he gave no other precepts for Kings, and others in authority; eſpecially ſeeing their luſt was to be much more reſtrained, than that of private perſons? What other cauſe may we imagine, than that at that time there were no Kings or Magiſtrates in the Church to whom he might write? Imagine that *Paul* doth now live in our days, wherein not only the people, but Princes alſo profeſs Chriſtianity. At

the ſame time, let there be ſome Prince, who doth conceive, that not only ſhould human laws, but alſo divine laws be ſubject to his luſt and pleaſure, and who will have not only his decrees, but alſo his very nods to be accounted for laws, like that man in the Goſpel, who neither did fear God, nor reverence man, who diſtributes the Church revenues amongſt villains and raſcals, if I may ſo ſay; and doth mock the ſincere worſhipers of God, and accounts them but fools and madmen, or fanaticks; what would *Paul* write of ſuch to the Church? If he were like himſelf, he would certainly deny that he ſhould be accounted a Magiſtrate. He would interdict all Chriſtians to have any communion with him, either in diet, ſpeech, or converſe, and leave him to the people to be puniſhed by the laws, and would think they did nothing but their duty, if they ſhould account him not to be their King, with whom they were to have no fellowſhip by the law of God. But there will not be wanting ſome court ſlaves, or ſycophants, who finding no honeſt refuge, become ſo impudent, as to ſay, that God being angry againſt a people doth ſet *Tyrants* over them; whom, as hangmen, he appoints for puniſhing them. Which to be true I do confeſs; yet it is true, that God many times doth ſtir up from amongſt the loweſt of the people ſome very mean and obſcure men to revenge tyrannical pride

and

and weakneſs; for God (as before is ſaid) doth command wicked men to be cut off; and doth except neither degree, ſex, or condition, nor yet any man. For Kings are not more acceptable to him than beggars. Therefore we may truly aver, that God being alike the father of all, to whoſe providence nothing lies hid, and whoſe power nothing can reſiſt, will not leave any wickedneſs unpuniſhed. Moreover, another will ſtand up and ask ſome example out of Scripture of a King puniſhed by his Subjects; which albeit I could not produce, yet it will not preſently follow, that becauſe we do not read ſuch a thing therein to have been done, that it ſhould be accounted for an high crime and malefice. I may rehearſe amongſt many Nations very many and found laws, whereof in holy writ there is no example. For as the conſent of all Nations doth approve, that what the law doth command, is accounted juſt, and what it forbiddeth, is unjuſt, ſo ſince the memory of man it was never forbidden, that what ſhould not be contained in laws, ſhould not at all be done. For that ſervitude was never received, nor will the nature of things ſo fruitful of new examples ſuffer the ſame to be received, that whatever is not by ſome law commanded, or recorded by ſome famous example, ſhould be accounted for a great crime and malifice. If therefore any man ſhall ask of me an exam-

ple out of the ſacred Scriptures, wherein the puniſhment of wicked Kings is approven, I ſhall again ask him, where is the ſame reprehended? But if nothing done without ſome example doth pleaſe; how many civil ſtatutes ſhall we have continued with us? how many Laws? for the greateſt part thereof is not taken out of any old example, but eſtabliſhed againſt new deceits, and that without example. But we have already anſwered thoſe that require examples more than was needful; now if the *Jewiſh* Kings were not puniſhed by their Subjects, they make not much for our purpoſe in hand. For they were not at firſt created by the people, but were by God given them. And therefore very juſtly, he who was the author of that honour, was to puniſh their miſdeeds. But we debate, that the people, from whom our Kings enjoy what ever privilege they claim, is more powerful than their Kings; and that the whole people have that ſame privilege over them, which they have over every one in particular of the whole people. All the rights and privileges of foreign Nations, who live under lawful Kings do make for us; all the Nations which are ſubject to Kings choſen by themſelves, do commonly agree herein, that whatever privilege the people hath given to any, the ſame they may require again very juſtly. All Commonwealths have ſtill retained this privilege. Therefore *Lentulus*, having

ing conſpired with *Catiline* for overturning the Commonwealth of *Rome*, was compelled to renounce his pretorſhip, and the *Decemviri*, the makers of the *Roman* laws, were taken order with, even whilſt they enjoyed the ſupream authority; ſome Dukes of *Venice*, and *Chilpericus* King of *France*, laying aſide their royal honours, as private men ſpent their days in Monaſteries. And not long ago, *Chriſtiernus* King of the *Danes*, twenty years almoſt after he was deprived of his Kingdom did end his life in priſon. Now the dictatorſhip (which was a kind of Tyranny) was in the people's power. And this privilege hath been conſtantly obſerved, that publick benefices granted amiſs, and the liberty granted to ingrate perſons ſet at liberty (whom laws do very much favour) might be taken back again. Theſe things we have ſpoken of foreign Nations, leſt we alone ſeem to have uſurped any [illegible]rivilege againſt our Kings. But as to what [illegible]n properly belong to us, the matter might have been handled in few words.

M. WHAT way? for this I am very deſirous to hear.

B. I might enumerate twelve or more Kings, who for great crimes and flagitious deeds have been either adjudged to perpetual impriſonment, or eſcaped the juſt puniſhment of their wickedneſs, either by exile or voluntary death. But leſt any blame me for re-

lating old and obſolete ſtories, if I ſhould make mention of *Culen*, *Even*, and *Ferchard*, I ſhall produce ſome few within the memory of our fore-fathers. All the Eſtates in a publick convention judged *James* the third to have been juſtly killed, for his great cruelty and flagitious wickedneſs towards his ſubjects, and did caution that none of them who had aided, conſented, or contributed money, or had been active therein, to be called thereafter into queſtion therefore. That they therefore did judge the deed to be duly and orderly done, it being once down, doubtleſs they deſired it might be ſet down for an example in time coming, ſurely no leſs, than *L. Quintius* ſitting in Judgment did commend *Servilius Ahalus* for having killed before the bench *Sp. Mellus* turning his back and refuſing to compear into judgment, and that he was not guilty of bloodſhed, but thought him to [illegible] by the ſlaughter of a *Tyrant*, [illegible] all poſterity did affirm the ſame. What ſubject hath ever approved the ſlaughter of one affecting tyranny? What do you ſuppoſe would he have done with a *Tyrant* robbing the goods of his Subjects and ſhedding their blood? What hath our men done? Do not they ſeem to have made a law, who by a publick decree without any puniſhment, have paſt by a flagitious crime committed, if ſuch like ſhall happen in time coming? for at moſt there is no

diffe-

difference whether you judge concerning that which is done, or make a law concerning what is to be done. For both ways a judgment is paſt concerning the kind of the crime, and concerning the puniſhment or reward of the actor.

M. THESE things will perhaps have ſome weight amongſt us. But I know not how other nations abroad will take them. You ſee I muſt ſatisfie them. Not as in a judicial way I were to be called in queſtion for the crime, but openly amongſt all concerning the fame, not mine (for I am far from any ſuſpicion thereof) but of my countrymen. For I am afraid, leſt foreign Nations rather blame the decrees, wherewith you ſuppoſe you are ſufficiently protected, than the crime it ſelf full of cruelty and hatred. But you know, if I miſtake not, what is uſually ſpoken according to the diſpoſition and opinion of every one on both hands, concerning the examples you have propoſed. I would therefore (becauſe you ſeem to have expeded what is paſt, not ſo much from the decrees of men, as from the ſprings of nature) you would briefly expound if you have ought to ſay for the equity of that law.

B. ALBEIT that may ſeem unjuſt to ſtand at the bar to plead amongſt foreigners for a law approved from the very firſt times of out *Scots* Government of Kings, by the conſtant practice of ſo many ages ago, neceſſary

ceſſary for the people, not unjuſt for Kings, but lawful, but now at laſt accuſed of illegality; yet for your ſake I ſhall try it. And as if I were debating with thoſe very men who would trouble you, I firſt ask this. What do you think here worthy of reprehenſion? Is it the cauſe? Why is it ſought for? Or is it the law itſelf which you reprehended? for the law was ſought for repreſſing the unjuſt luſts of Kings. Whoever doth condemn this, muſt likewiſe condemn all the laws of all Nations, for all laws were deſired for the very ſame cauſe. Do you reprehend the law itſelf? Do you think it lawful that Kings be exempted of, or not liable to the laws? Let us then ſee if that be alſo expedient. And for proving that it is not expedient for the people, there needs not many words. For if in the former diſcourſe we have rightly compared a King to a *Phyſician*, as it is not expedient for people that impunity be permitted to a *Phyſician* for killing whom he pleaſeth, ſo it is not for the good of all, that a promiſcuous licence be granted to Kings for making havock of all. We have no cauſe then to be offended with a people, whoſe chief power it is in making laws; if as they deſire a good King to be ſet over them, even ſo a Law to be ſet over a King none of the beſt. But if this law be not for the King's uſe, or profit, let us ſee if the people ſhould be dealt with to remit ſomewhat of their

their privilege, and of abrogating it, not for the ſpace of three days, but, according to our uſual way, we indict a parliament to meet within forty days. In the mean time, that we may reaſon together concerning the law, tell me, Doth he ſeem to reſpect the good of a madman, who looſeth his bonds?

M. NOT at all.

B. WHAT do you think of him who giveth to a man ſick of a feaver, ſo as he is not far from madneſs, a drink of cold water, though earneſtly craving it, do you think he deſerveth well of that ſick man?

M. BUT I ſpeak of Kings of a ſound mind. I deny that there is any need of medicine for ſuch as are in health, nor of laws for Kings of a ſound mind. But you would have all Kings to ſeem wicked, for you impoſe laws upon all.

B. I do not think that all Kings are wicked. Nor do I think all the people to be wicked, and yet the law in one voice doth ſpeak to the whole people. Now wicked men are afraid at that voice; good people do not think it belongs to them. Thus good Kings have no cauſe to be offended at this law; and wicked Kings, if they were wiſe, would render thanks to the Lawgiver, who hath ordained what he underſtood would not be profitable for them, nor to be lawful for them to do: Which indeed they will not do, if ſo be they ſhall once return again to their

right

right mind. Even as they who are reſtored to health do render thanks to their Phyſician, whom before they had hated, becauſe he would not grant their deſires whilſt they were ſick. But if Kings continue in their madneſs, whoever doth moſt obey them, is to be judged their greateſt enemy. Of this ſort are flatterers, who by flattering their vices, do cheriſh and increaſe their diſeaſe, and at laſt together almoſt with Kings are utterly ruined.

M. I cannot indeed deny, but that ſuch Princes have been and may be reſtrained by law-bonds: For there is no monſter more violent and more peſtiferous than man, when (as it is in the Poets fables) he is once degenerate into a beaſt.

B. You would much more ſay ſo, if you conſider how many ways a man becomes a beaſt, and of how many ſeveral monſters he is made. Which thing the old Poets did acutely obſerve and notably expreſs, when they ſay that *Prometheus* in the framing of man did give him ſome particle out of every living creature. It would be an infinite work for me to relate the natures of all one by one. But certainly two moſt vile monſters do evidently appear in man, wrath and luſt. But what elſe do laws act or deſire, but that theſe monſters be obedient to right reaſon? And whilſt they do not obey reaſon, may not laws by the bonds of their ſanctions reſtrain them?

them? Whoever then doth looſe a King, or any other from theſe bonds, doth not looſe one man, but throws in againſt reaſon two monſters exceeding cruel, and armeth them for breaking aſunder the bars of laws: So that *Ariſtotle* ſeemeth to have rightly and truly ſaid, *That he who obeyeth the law, doth obey both God and the law; but he that obeyeth the King, doth obey both a man and a beaſt.*

M. ALBEIT theſe things ſeem to be ſaid appoſitely enough, yet I think we are in a miſtake two ways. Firſt, becauſe the laſt things we have ſpoken ſeem not [illegible] agree well enough with the firſt. Next, becauſe, as we may well know, we ſeem not to have yet come to the main point of our debate. For a little before we were at agreement, that the voice of the King and law ought to be the ſame; here again we make him ſubject to the laws. Now though we grant this to be very true, what have we gained by this concluſion? For who ſhall call to an account a King become a Tyrant? For I fear a privilege without ſtrength will not be powerful enough to reſtrain a King forgetful of his duty, and unwilling to be drawn unto judgment, to anſwer for male-adminiſtration.

B. I fear ye have not well pondered what we have before debated concerning the royal power: For if ye had well conſidered it,

you

you had eaſily underſtood what you now have ſaid, that betwixt them there is no contradiction. But that you may the more eaſily take it up, firſt anſwer me, when a Magiſtrate or Clerk doth utter the words of a proclamataion before an Herauld, is not the voice of both one and the ſame? I ſay of an Herauld and of a Clerk?

M. IT is the ſame indeed.

B. WHICH of the two ſeem greateſt?

M. HE who firſt doth utter the words.

B. WHAT is the King who is the author of the edict.

M. GREATER than both.

B. THEN according to this ſimilitude let us ſet down the King, the law, and the people. The voice is the ſame both of King and law. Which of the two hath the authority from the other? The King from the law, or the law from the King?

M. THE King from the law?

B. FROM whence collect you that?

M. BECAUSE the King was not ſought for to reſtrain the law, but the law to reſtrain the King. And from the law he hath that, whereby he is a King; for without the law, he would be a Tyrant.

B. THE law then is more powerful than the King; and is as a Governeſs and Moderatrix both of his luſt and actions.

M. THAT is already granted.

B. WHAT?

B. WHAT? is not the voice of the people and the law the ſame?

M. THE very ſame.

B. WHICH of the two is moſt powerful, the people or the law?

M. I think the whole people.

B. WHY do you think ſo?

M. BECAUSE the people is as it were the parent of the law, certainly the author thereof, they being able to make or abrogate it as they pleaſe.

B. SEEING then the law is more powerful than the King, and the people more powerful than the law, we muſt ſee before which we may call the King to anſwer in judgment. Let us alſo diſcuſs this. Are not the things which for ſome others ſake are inſtitute, of leſs account than thoſe for whoſe ſake they are required or ſought?

M. I would have that more clearly explained.

B. FOLLOW me thus: Is not a bridle made for the horſe's ſake?

M. IT is ſo.

B. ARE not ſaddles, girdings and ſpurs, made for horſes!

M. THEY are.

B. NOW if there were no horſe, there ſhould be no uſe of ſuch things.

M. NONE at all.

B. A horſe is then better than all theſe.

M. WHY not?

B. WHY?

B. WHY? a horſe; for what uſe is he deſired?

M. FOR very many uſes, and firſt of all for obtaining victory in war.

B. WE therefore do eſteem the victory to be of more worth than horſes, arms, and other things, which are prepared for the uſe of war.

M. OF more worth indeed it is.

B. WHAT did men eſpecially regard in creating a King?

M. THE peoples good, as I ſuppoſe.

B. BUT would there be no need of Kings, if there were no ſocieties of men?

M. NONE at all.

B. THE people then is better than the King.

M. IT muſt needs be ſo.

B. IF the people be better, they are alſo greater. When a King then is called to judgment before a people, the leſſer is called into judgment before the greater.

M. BUT when ſhall we hope for that happineſs, that the whole people agree unto that which is right.

B. THAT indeed is ſcarce to be hoped for. And to expect it, is certainly needleſs: otherwiſe a law could neither be made, nor a Magiſtrate created. For neither is almoſt any law alike to all, nor is there almoſt any man in that popular favour, ſo as to have no man either an enemy to him, or envi-

ous

ous or ſlanderer of him; this now is deſired, that the law be uſeful for the greateſt part, and that the greateſt part have a good opinion of him that is to be choſen. What if the greateſt part of the people may enjoyn a law to be made, and create a Magiſtrate, what doth hinder, but that they alſo may judge him, and appoint Judges over him? Or if the Tribunes of the people of *Rome*, and the *Lacedemonian Ephori* were ſought to modify the power of Magiſtracy, ſhould it ſeem unjuſt to any man, if a free people, either upon the like or different account, did foreſee their own good in ſuppreſſing the bitterneſs of Tyranny?

M. Now I ſeem almoſt to perceive what a people can do: But it is a matter of difficulty to judge what they will do, or appoint to be done. For the greateſt part almoſt doth require old and uſual cuſtoms, and hateth novelty, which the rather is to be admired, ſeeing there is ſo great an inconſtancy in meat, apparel, buildings, and in all houſhold furniture.

B. Do not think that theſe things are ſpoken by me, that I would have any new thing in this kind to be done, but that I might ſhew you it hath been of old, that a King ſhould anſwer in judgment before Judges, which you did believe to be almoſt incredible, or at leaſt a novelty. For to paſs over, how often it hath been done by our

Anceſtors, as partly before we have ſaid, and you may alſo eaſily collect from Hiſtory; did you never hear of thoſe who contended for the Kingdom to have appealed to *Arbiters?*

M. I have indeed heard it to have been ſometimes done amongſt the *Perſians.*

B. AND our writers affirm, that the ſame was done by *Grimas* and *Milcolumbus:* But leſt you alledge that that kind of *Arbiters* were wont to be aſſumed by the contenders own conſent, let us come to the ordinary Judges.

M. HERE I am afraid you may as far prevail, as if a man ſhould ſpread nets in the ſea to catch whales.

B. WHY ſo, I pray you?

M. BECAUSE all apprehending, reſtraint and puniſhment, is carried on by the more powerful againſt the weaker. But before what Judges will you command a King to compear? Before them over whom he hath the ſupream power to judge? Whom he can compeſce by this one word, *I forbid.*

B. WHAT if ſome greater power be found which hath that right, privilege, or juriſdiction over Kings, which Kings have over others?

M. I deſire to hear that.

B. WE told you, if you remember, that this power is in the people.

M. IN

M. IN the whole people indeed, or in the greateſt part thereof. I alſo yield thus further, that it is in thoſe to whom the people, or the greateſt part of them ſhall tranſmit that power.

B. YOU do well, in holding in my pains.

M. BUT you know that the greateſt part of the people is corrupted, either through fear or reward, or through ſome hope of a bribe and impunity, ſo as they prefer their own benefit and pleaſures or luſts to the publick utility, and alſo ſafety. Now there are very few who are not hereby moved, according to that of the Poet. Good people are indeed rare, ſcarce ſo many in number as there be gates in *Thebes*, or iſſues of the River *Nilus*. Now all the reſt being a naughty rabble, fatned with blood and rapine, enjoy their venial liberty, and envy the liberty of others. Now that I may paſs from thoſe with whom the name of wicked Kings alſo is ſacred. I alſo omit thoſe, who, albeit they are not ignorant what is lawful, and juſt or right, yet prefer a quiet ſlothfulneſs to honeſt hazards, and heſitating in their minds do frame their conſultations on the expectation of the event; or follow the good fortune of either party, but not the cauſe. How great this multitude will be, you ſee.

B. GREAT indeed; but yet not very great: For the wrong of *Tyrants* may reach many, but their good deeds very few. For

the avarice of the vulgar is inſatiable, as a fire is the more vehemently kindled by adding fewel thereto: But what is by force taken away from many, doth rather increaſe the hunger of ſome few, than ſatiate their luſt. And further, the fidelity of ſuch men for the moſt part is unſtable. As ſaith the Poet, *Fidelity doth ſtand and fall with fortune.* But if they would alſo continue firm in their judgment, they ſhould not be accounted in the number of good ſubjects, for they are the violators, or rather betrayers of humane ſociety: Which vice, if not ſufferable in a King, is far leſs tolerable in a private perſon. Who then are to be accounted the right ſubjects? They who give obedience to the laws, maintain and defend humane ſociety, who rather undergo all pains and labours, and all hazards for common ſafety, than ſpend their time ſluggiſhly in idleneſs, void of all honeſty? Who ſet before their eyes, not their preſent enjoyments, but the remembrance of eternity. But if there be any whom fear and ſelf-intereſt recall from hazards, yet the ſplendour of ſome notable atchievement, and the beauty of vertue will raiſe up dejected minds: And thoſe who dare not be authors or leaders, will not decline to become aſſociates. If therefore ſubjects be reckoned, not by number, but by dignity and worth, not only the better part, but alſo the greater part will ſtand for their liberty,

liberty, honeſty and ſafety. But if the whole common people diſſent, this ſays nothing to our preſent debate; for we demand not what is to be done, but what may lawfully be done. But now let us come to the ordinary judicial ſentences.

M. THAT I juſt now look for.

B. IF any private man contend that his inheritance, or ſome part of his land is unjuſtly detained by the King, what do you think ſhould this private man do? ſhall he paſs from his land, becauſe he cannot ſet a judge over the King?

M. NOT at all, but he may command not the King, but his proxy to compear in judgment.

B. NOW ſee what ſtrength that refuge hath whereof you make uſe. For it is all one to me, whether the King compear, or his proxy, or advocate, for both ways, the litis-conteſtation will redound to the King's loſs; the damage or gain will redound to him, not to his advocate, by the event of the ſentence. In end he is found guilty, that is, he whoſe cauſe is agitate. Now I would have you conſider not only how abſurd it is, but alſo unjuſt to paſs ſentence againſt a King for a petty inheritance for lights in a houſe, or for eaſe droppings thereof, and no ſentence to be paſt for parricide, witchcraft, or treaſon. To make uſe of the ſeverity of the Law in leſſer matters, and the greateſt licence and im-

punity to be permitted in the greateſt crimes. So that that old proverb ſeems plainly true, Laws are very like ſpiders webs, which hold flies faſt, but let bigger beaſts paſs thro', nor is that complaint and indignation of ſome juſt, who ſay that it is neither honeſt nor equitable, that judgment ſhould paſs againſt a King, by a man of an inferiour rank, ſeeing they ſee it received and admitted in debate about money or land; and the greateſt Peers next to the King for the moſt part compear before the Judges, who are inferiour to them in riches, nobility, and valour. And not much above the vulgar rank; and far more below the guilty, than the greateſt Peers are below Kings. Nor yet for all this do theſe noble men, or Peers think it any derogation to their dignity. Now if we ſhall once admit this, that no man can be ſiſted before a Judge, unleſs the Judge be every way ſuperiour to the perſon arreigned, the inferiour rank muſt attend and wait on until the King either pleaſe, or be at leiſure, to cognoſce concerning the guilty Noble man; but what if their complaint be not only unjuſt, but alſo falſe? For no man coming before a Judge doth come before an inferiour perſon; eſpecially ſeeing ſo great an honour is by God himſelf conferred upon the order of Judges, that he calleth them not only Kings, but alſo Gods, and as much as can be, doth communicate to them his own dignity. Therefore

fore thoſe *Roman* Popes, who did graciouſly indulge Kings to kiſs their feet, who did ſend for honours ſake to ſuch as came to meet them, their mules, who did tread upon the necks of Emperours, being called to anſwer in Judgment, did obey, and being compelled by Judges renounced their Popedom. *John* the twenty ſecond being from flight brought back, was thruſt into priſon, and ſcarce at laſt relieved by money, and ſubmitted to him that was put into his place, and therefore he did approve the ſentence of the Judges. What did the Synod of *Baſile?* did it not appoint and ordain by the common conſent of all the members thereof, that the Pope is ſubject to the council of Prieſts. Now theſe Fathers were perſwaded upon what account they did ſo, which you may find out of the Acts of theſe councils. Kings then who confeſs the Majeſty of Popes to be ſo far above them, as that it doth over-ſhadow them all with the top of its celſitude, I know not how they think therein their dignity to be diminiſhed, wherein the Pope did not think he was diſparaged to deſcend from ſo high a throne, namely to ſtand to the judgment and ſentence of the Cardinals; hereby you may ſee how falſe their complaint is, who diſdain to be arraigned at the bar of an inferiour Judge, for it is not *Titius*, *Sempronius*, or *Stichus* that doth in a judiciary way condemn and abſoil, but the law, to which Kings

ſhould yeild obedience. The moſt famous Emperours *Theodoſius* and *Valentianus*, accounted honourable. I ſhall here ſet down their own words, becauſe they deſerve the memory of all ages. It is (ſay they) a word well beſeeming the Majeſty of a King to confeſs he is a Prince tied to the Laws. And we declare that it is more to ſubmit a principality to the laws, than to enjoy an Empire. And what we now declare by this our edict, we will not ſuffer to be infringed. Theſe things the very beſt Princes judged right, and by law eſtabliſhed, and ſome of the worſt ſee the ſame. For *Nero* being apparelled in the dreſs of harpers, is ſaid to have not only obſerved their carriage and motions, but alſo when it came to be judged who had done beſt, that he ſtood ſolicitous betwixt hope and fear for the victory. For albeit, he knew he would be declared victor, yet he thought the victory would be the more honeſt, if he ſhould obtain it, not by the flattery of the judges, but by due debate; and he thought the obſervation of the law did contribute not for the dimnuition of his authority, but for the ſplendor of the victory.

M. YOUR diſcourſe, I perceive, is not not ſo inſolent, as at firſt I took it, when you ſaid, you would have Kings obedient to the laws; for it is not ſo much founded upon the authority of Philoſophers, as of Kings, Emperours and Councils of the Church.

M. BUT

M. BUT I do not well underſtand that you ſay, it is not man but the law that judgeth.

B. CALL to mind what was ſaid a little before: did we not ſay, that the voice of the King, and of the law, is the ſame?

M. WE did ſo.

B. WHAT the voice of the Clerk, and *Herauld* is, when the law is publiſhed?

M. THE very ſame.

B. BUT which of the two hath the authority from the other, whether the judge from the law, or the law from the judge?

M. THE judge from the law.

B. THE ſtrength of the ſentence is then from the law, and the pronunciation of the words of the law is alone the judges.

M. IT ſeems ſo.

B. YEA, there is nothing more certain, for the ſentences of judges pronounced according to the law are ratified, elſe they are reſcinded.

M. THERE is nothing more true than that.

B. YOU ſee then that the judges authority is from the law, and not the laws authority from the judge.

M. I ſee it is ſo.

B. THE low and mean condition of him that proclaimeth the law doth not diminiſh the dignity thereof, but the dignity of the laws

laws is ſtill the ſame, whether the King, a Judge, or an *Herauld* proclaim it.

M. IT is ſo indeed.

B. THE law then being once eſtabliſhed, is firſt the voice of the King, and then of others.

M. IT is ſo.

B. WHILST then the King is condemned by a judge, he ſeems to be condemned by the law.

M. THAT is very clear.

B. IF by the law, then he is condemned by his own voice, as ſeems, no leſs than if it were written with his own hand.

B. WHY then do we ſo much weary our ſelves concerning a judge, ſeeing we have the King's own confeſſion, that is to ſay, the law? Let us alſo conſider this, which is but preſently come into my mind. When a King in what cauſe ſoever doth ſit in judgment as a judge, ſhould he not lay aſide the perſon of all others, and to have no reſpect to brother, kinſman, friend or foe, but retain only the perſon of a judge?

M. HE ought ſo to do.

B. OUGHT he not to remember that perſon only, whoſe proper act it is he is about?

M. I would have you tell me that more clearly.

B. TAKE

B. TAKE heed then; when any man doth ſecretly take away another man's goods, what do we ſay he hath done?

M. I think, he hath ſtoln them.

B. How do you call him for this deed?

M. A Thief.

B. How do you ſay he hath done? Who makes uſe of his neighbours Wife, as his own.

M. WE ſay he hath committed adultery.

B. How ſhall we call him?

M. AN adulterer.

B. How do we call him that judgeth?

M. A judge.

B. To others alſo after this manner from the actions they are about, names may be rightly given.

M. THEY may.

B. WHEN a King then is to paſs a ſentence, he is to lay aſide all other perſons.

M. INDEED he ſhould, eſpecially thoſe that may prejudge either of the parties in judging.

B. How do you call him againſt whom the ſentence is paſt, from that act of judgment.

M. WE may call him guilty.

B. AND it is not equitable that a judge lay aſide ſuch perſons as may prejudge the ſentence?

M. CERTAINLY he ſhould, if ſo be ſuch perſons be more regarded than the cauſe;

cauſe; yet ſuch perſons pertain not to a judge. Seeing God will have no reſpect to be had to the poor in judgment.

B. If then any man, who is a painter, or a Grammarian, debate before a judge concerning the art of painting againſt a painter, he is not a Grammarian, for the ſcience of Grammar ſhould not herein avail him.

M. Nothing at all.

B. Nor the art of painting avail the other, if the debate be concerning Grammar.

M. Not a white more.

B. A judge then in judgment muſt acknowledge but one name, to wit, of the crime, or guilt, whereof the adverſary or plaintiff doth accuſe his party or defendant to be guilty.

M. No more.

B. What if a King be guilty of parricide, hath he the name of a King, and whatever doth belong to a judge?

M. Nothing at all, but only of a parricide, for he cometh not into controverſie concerning his Kingdom, but concerning his parricide.

B. What if two parricides be called to anſwer in judgment, the one a King, and the other a poor fellow, ſhall not there be a like way of procedure by the judge of both?

M. The very ſame with both, ſo that I think that of *Lucan* is no leſs true than elegantly ſpoken. *Viz. Cæſar* was both my leader

leader and fellow in paſſing over the *Rhine.* Whom a malefice doth make guilty, it maketh alike.

B. TRUE indeed. The proceſs then is not here carried on againſt a King and a poor man, but againſt their parricides; for then the proceſs ſhould be led on concerning the King, if it ſhould be asked which of the two ought to be King: Or if it come into queſtion, whether *Hiero* be King or a *Tyrant,* or if any other thing come into queſtion, which doth properly belong to the King's function. Even as if the ſentence be concerning a painter, when it is demanded, hath he skill in the art of painting?

M. WHAT if a King will not willingly compear, nor by force can be compelled to compear.

B. THEN the caſe is common with him as with all other flagitious perſons. For no Thief or warlock will willingly compear before a judge to be judged. But I ſuppoſe, you know, what the law doth permit, namely to kill any way a thief ſtealing by night, and alſo to kill him if he defend himſelf when ſtealing by day. But if he cannot be drawn to compear to anſwer but by force, you remember what is uſually done. For we perſue by force and arms, ſuch robbers as are more powerful than that by law they can be reached. Nor is there almoſt any other cauſe of all the warres betwixt Nations, People, and Kings,

Kings, than thoſe injuries which, whilſt they cannot be determined by juſtice, are by arms decided.

M. AGAINST enemies indeed for theſe cauſes warres uſe to be carried on, but the caſe is far otherwiſe with Kings, to whom by a moſt ſacred oath interpoſed we are bound to give obedience.

B. WE are indeed bound; but they do firſt promiſe that they ſhall rule in equity and juſtice.

M. IT is ſo.

B. THERE is then a mutual paction betwixt the King and his Subjects.

M. IT ſeems ſo.

B. DOTH not he who firſt recedes from what is covenanted, and doth contrary to what he hath covenanted to do, break the contract and covenant?

M. HE doth.

B. THE bond then being looſed, which did hold faſt the King with the people, what ever privilege or right did belong to him, by that agreement and covenant, who looſeth the ſame, I ſuppoſe is loſt.

M. IT is loſt.

B. HE then with whom the covenant was made becometh as free as ever he was before the ſtipulation.

M. HE doth clearly enjoy the ſame privilege, and the ſame liberty.

B. Now

B. Now if a King do thoſe things which are directly for the diſſolution of ſociety, for the continuance whereof he was created, how do we call him?

M. A *Tyrant*, I ſuppoſe.

B. Now a *Tyrant* hath not only no juſt authority over a people, but is alſo their enemy.

M. He is indeed an enemy.

B. Is there not a juſt and lawful war with an enemy, for grievous and intolerable injuries?

M. It is, forſooth, a juſt war.

B. What war is that which is carried on with him who is the enemy of all mankind, that is, a *Tyrant?*

M. A moſt juſt war.

B. Now a lawful war being once undertaken with an enemy, and for a juſt cauſe, it is lawful, not only for the whole people to kill that enemy, but for every one of them.

M. I confeſs that.

B. May not every one out of the whole multitude of mankind aſſault, with all the calamities of war, a *Tyrant* who is a publick enemy, with whom all good men have a perpetual warfare.

M. I perceive all Nations almoſt to have been of that opinion. For *Thebe* is uſually commended for killing her husband, *Timoleon* for killing his brother, and *Caſſius* for killing

killing his ſon; and *Fulvius* for killing his own ſon going to *Catiline*, and *Brutus* for killing his own ſons and kinſmen, having underſtood they had conſpired to introduce Tyranny again: And publick rewards were appointed to be given, and honours appointed by ſeveral Cities of *Greece* to thoſe that ſhould kill Tyrants. So that (as is before ſaid) they thought there was no bond of humanity to be kept with Tyrants. But why do I collect the aſſent of ſome ſingle perſons, ſince I can produce the teſtimony almoſt of the whole world: For who doth not ſharply rebuke *Domitius Corbulo*, for neglecting the ſafety of mankind, who did not thruſt *Nero* out of his Empire, when he might very eaſily have done it? And not only was he by the *Romans* reprehended, but by *Tyridates* the *Perſian* King, being not at all afraid, leſt it ſhould afterward befal an example unto himſelf. But the minds of moſt wicked men enraged with cruelty are not ſo void of this publick hatred againſt Tyrants, but that ſometimes it breaketh out in them againſt their will, and forceth them to ſtand amazed with terrour at the ſight of ſuch a juſt and lawful deed. When the Miniſters of *Caius Caligula*, a moſt cruel Tyrant, were with the like cruelty tumultuating for the ſlaughter of their Lord and Maſter, and required thoſe that had killed him to be puniſhed, now and then crying aloud

aloud, Who had killed the Emperour? *Valerius Aſiaticus*, one of the Senators, ſtanding in an eminent high place, from whence he might be heard, cryed out aloud, *I wiſh I had killed him.* At which word theſe tumultuary perſons, void of all humanity, ſtood as it were aſtoniſhed, and ſo forbore any more to cry out tumultuouſly. For there is ſo great force in an honeſt deed, that the very lighteſt ſhew thereof being preſented to the minds of men, the moſt violent aſſaults are allayed, and fierce fury doth languiſh, and madneſs ſtill it will it doth acknowledge the ſovereignty of reaſon. Neither are they of another judgment, who with their loud cries mix heaven and earth together. Now this we do eaſily underſtand either from hence, that they do reprehend what now is done, but do commend and approve the ſame ſeemingly more atrocious, when they are recorded in an old Hiſtory; and thereby do evidently demonſtrate, that they are more obſequious to their own particular affections, than moved by any publick damage. But why do we ſeek a more certain witneſs what Tyrants do deſerve, than their own conſcience? Thence is that perpetual feat from all, and chiefly from good men: And they do conſtantly ſee hanging above their own necks the ſword which they hold ſtill drawn againſt others; and by their own hatred againſt others, they

meaſure other mens minds againſt them. But contrarywiſe, good men, by fearing no man, do often procure their own hazard, whilſt they weigh the good will of others towards them, not from the vicious nature of men, but from their own deſert towards others.

B. You do then judge that to be true, that Tyrants are to be reckoned in the number of the moſt cruel brute beaſts; and that tyrannical violence is more unnatural than poverty, ſickneſs, death, and other miſeries which may befal men naturally.

M. Indeed when I do ponder the weight of your reaſons, I cannot deny but theſe things are true: But whilſt hazards and inconveniences do occur, which follow on the back of this opinion, my mind, as it were tyed up with a bridle, doth inſtantly, I know not how, fail me, and bendeth from that too ſtoical and ſevere right way, towards utility, and almoſt falleth away: For if it ſhall be lawful for any man to kill a Tyrant, ſee how great a gap you do open for wicked men to commit any miſchief, and how great hazard you create to good men: To wicked men you permit licenciouſneſs, and lets out upon all the perturbation of all things: For he that ſhall kill a good King, or at leaſt none of the worſt, may he not pretend by his wicked deed ſome ſhew of honeſt and lawful duty? Or if any good ſubject ſhall in vain attempt to

kill

kill a Prince worthy of all puniſhment, or accompliſh what he intended to do, how great a confuſion of all things do you ſuppoſe muſt needs follow thereupon? Whilſt the wicked do tumultuate, raging that their head and leader is taken away from them; neither will all good men approve the deed; nor will all thoſe that do approve the deed, defend the doer and author of their liberty againſt a wicked crew. And many under an honeſt pretext of peace will veil their own lazineſs, or rather calumniate the vertue of others, than confeſs their own ſlothfulneſs. Surely this remembrance of ſelf-intereſt, and excuſe of leaving the publick cauſe, and the fear of dangers, if it doth not break the courage, yet it weakneth the ſame, and compelleth it to prefer tranquility, albeit not very ſure, to an uncertain expectation of liberty.

B. IF you well remember what is before ſpoken, this your fear will be eaſily diſcuſſed. For we told you that there be ſome Tyrannies allowed by the free ſuffrages of a people, which we do honour with royal titles, becauſe of the moderate adminiſtration. No man, with my will, ſhall put violent hand on any ſuch, nor yet on any of thoſe, who even by force or fraud have acquired ſovereignty, providing they uſe a moderate way in their Government: Such amongſt the *Romans* were *Veſpaſianus*, *Titus*, *Pertinax*;

tinax; *Alexander* amongſt the *Grecians*, and *Hiero* in *Syracuſa*. Who albeit they obtained the Government by force and arms, yet by their juſtice and equity deſerved to be reckoned amongſt juſt Kings: Beſides, I do only ſhew what may be lawfully done, or ought to be done in this caſe; but do not exhort to attempt any ſuch thing. For in the firſt a due conſideration of the caſe, and a clear explanation thereof is ſufficient: But in the laſt there is need of good counſel in undertaking, of prudence in aſſaulting, and courage in acting. Now ſeeing theſe things are either promoved or overturned by the circumſtances of time, perſon, place, and other inſtruments in carrying on the buſineſs: If any ſhall raſhly attempt this, the blame of his fault can be no more imputed to me, than his fault to a Phyſician, who hath duly preſcribed the remedies of diſeaſes, but were given by another to the patient unſeaſonably.

M. ONE thing ſeems yet to be wanting to put an end to this diſpute; which if you ſhall add, I ſhall think I have received a very ſingular kindneſs of you. The matter is this: Let me underſtand, if there be any Church cenſures againſt Tyrants?

B. YOU may take it when you pleaſe out of the firſt Epiſtle of *Paul* to the *Corinthians*, where the Apoſtle doth forbid to have any fellowſhip either at meat or diſ-

courſe

courſe with openly lewd and flagitious men. If this were obſerved amongſt Chriſtians, ſuch lewd men, unleſs they did repent, might periſh by hunger, cold and nakedneſs.

M. A grievous ſentence indeed that is. But I do not know if a people, that allow ſo much liberty every way to their Rulers, will believe that Kings ſhould be puniſhed after this manner.

B. SURELY the ancient Eccleſiaſtick writers without exception did thus underſtand that ſentence of *Paul*. For *Ambroſe* did hold out of the Aſſembly of the Chriſtians *Theodoſius* the Emperour, and *Theodoſius* obeyed the ſaid Biſhop: And, for what I know, antiquity doth more highly extol the deed of no other ſo much, nor is the modeſty of any other Emperour more commended. But to our purpoſe: What difference is there betwixt the excluſion out of chriſtian fellowſhip, and the interdiction from fire and water? This laſt is a moſt grievous ſentence impoſed by Rulers againſt ſuch as refuſe to obey their commands; and the former is a ſentence of churchmen. Now the puniſhment of the contempt of both authorities is death; but the ſecular Judge denounceth the death of the body, the Eccleſiaſtick Judge denounceth the deſtruction of the whole man. Therefore the Church will not account him worthy of death, whom it doth expel out of the fel-

lowſhip of Chriſtians, while he is alive; and baniſheth him into the fellowſhip of Devils, when dead. Thus, according to the equity of the cauſe, I think I have ſpoken abundantly; if therewith any foreigners be diſpleaſed, I deſire they would conſider how unjuſtly they deal with us. For whilſt there be many Nations both great and wealthy in *Europe*, having all their own peculiar laws, they deal arrogantly who would preſcribe to all that model and form of Government which they themſelves enjoy. The *Helvetians* Government is a Commonwealth. *Germany* uſeth the name or title of Empire, as a lawful Government. Some Cities in *Germany* (as I am informed) are under the rule of Princes. The *Venetians* have a Seignory tempered of theſe. *Muſcovia* hath a very Tyranny inſtead of Government. We have indeed but a little Kingdom, but we have enjoy'd it theſe two thouſand years free of the Empire of foreign Nations. We did create at firſt lawful Kings; we did impoſe upon ourſelves and them equal and juſt laws; the long continuance of time doth ſhew they were uſeful: For more by the obſervation thereof, than by force of arms, hath this Kingdom ſtood intire hitherto. Now what iniquity is this, that we ſhould deſire either to abrogate or neglect the laws, the good whereof we have found by experience for ſo many ages? Or what impudence is

that

that in others; that whereas they cannot ſcarce defend their own Government, endeavour to weaken the ſtate and good order of another Kingdom? What! are not our laws and ſtatutes uſeful, not only to ourſelves, but alſo to our neighbours? For what can be more uſeful for keeping peace with our neareſt neighbours, than the moderation of Kings? For from immoderate luſt unjuſt wars are for the moſt part raſhly undertaken, wickedly proſecuted and carried on, and ſhamefully with much diſgrace left off. And further, what more hurtful can there be to any Commonwealth, than bad laws amongſt their neareſt neighbours, whereof the contagion doth uſually ſpread far and wide? And why do they thus trouble us only, ſeeing ſo many Nations round about have their ſeveral laws and ſtatutes of their own, and no Nation hath altogether the ſame laws and ſtatutes as others about them have? And why are they now offended at us, ſeeing we make no new law, but continue to obſerve what we had by an ancient priviledge? And ſeeing we are not the only perſons, nor the firſt perſons, nor yet is it at this time that we make uſe of our laws, But our laws are diſpleaſing to ſome: Perhaps their own laws diſpleaſe them alſo. We do not curiouſly enquire what the laws of other Nations are. Let them leave us our own, well known by the experience of ſo

many years. Do we trouble their Councils? Or in what buſineſs do we moleſt them? But you are ſeditious, ſay they. I could freely give them an anſwer: What is that to them? We are tumultuous at our own peril, and at our own damage. I might enumerate a great many ſeditions, that are not hurtful either to Commonwealths or Kingdoms. But I ſhall not make uſe of that defence. I deny any Nation to be leſs ſeditious than we. I deny that any Nation hath ever been more moderate in ſeditions than we. Many contentions have fallen out for laws, and right of Government, and adminiſtration of the Kingdom; yet the main buſineſs hath been ſtill kept ſafe. Our contentions never were, as amongſt many others, with the deſtruction of the people, nor with the hatred of our Princes; but only out of love to our own country, and deſire to maintain our laws. How often in our time have great armies ſtood in oppoſition to one another? How oft have they retired and withdrawn from one another, not only without wound, but without any harm, yea without ſo much as a reproach? How often hath the publick utility ſetled the private grudges? How often hath the rumour of the enemies approach extinguiſhed our inteſtine hatred and animoſity? In all our ſeditions we have not been more modeſt than fortunate; ſeeing for the moſt part, the party

moſt

moſt juſt hath been always moſt fortunate: And even as we have moderately vented our hatred, ſo have we to our profit and advantage condeſcended to an agreement. Theſe things at preſent do occur, which might ſeem to compeſce the ſpeeches of the malevolents; refute ſuch as are more pertinacious; and may ſatisfy ſuch as are of a more temperate diſpoſition. But by what right other Nations are governed, I thought it not much to our purpoſe. I have briefly rehearſed our own way and cuſtom; but yet more amply than I intended, or than the matter did require, becauſe I undertook this pains for you only. And if it be approved by you, I have enough.

M. As for me, you have abundantly ſatisfied me: But if I can ſatisfy others alſo, I ſhall think I have received much good by your diſcourſe, and my ſelf eaſed of very much trouble.

THE

THE

Stoick KING:

FROM

SENECA.

NEITHER imperial Fur, nor purple Robes,
Nor Scepters, Diadems, and golden Globes,
Nor royal Mantles can a Monatch frame;
But he, and only he, deſerves the Name:
In whom Ambition ne'er can claim a part,
Fear from his Soul, and malice from his Heart;
Whom the inconſtant Crow'd cou'd never move,
With ſhort-liv'd Praiſes, or decaying Love;
Who ne'er was tempted by the ſhining Oar,
Which *Tagus* caſts upon the golden ſhore:
Or by the yellow Harveſt, which the Fields,
Of fruitful *Lybia* to the Lab'rer yield:

Whoſe

Whoſe conſtant Courage, and whoſe ſteady
Mind,
Was never ſhaken by the bluſtring Wind,
Or daunted at the angry Thunder's Roar,
Or Billows daſhing on the rocky Shore;
Who ne'er was frightned at the brandiſh'd
Spear,
Or well aim'd Javelin whiſtling thro' the Air;
Who by indulgent Fortune rais'd on high,
Can Death and threatning Dangers fearleſs ſpy.
Tho' to oppoſe him, all the Princes joyn,
Who rule from *Ganges* to the *German* Rhine,
Or who inhabit all the ſpace of Land,
From *Indian*'s Shore, to *Ruſſia*'s frozen Strand;
Tho' he attacks Him, who ſhall dare to ſtem,
And croſs the *Danube*'s ſwift reſiſtleſs Stream;
So ſtrong the Empire, of a quiet SOUL,
Whom Conſcience does not check, nor Rage
controul.
It ſcorns the feeble uſe of Pikes and Darts,
Of battering Rams, and other warlike Arts.
He is a KING, in whoſe undaunted Breaſt,
Fear never was admitted as a Gueſt.
In every Place, the juſt and willing MIND.
Can ſuch a glorious peaceful KINGDOM find.

THE

THE

GENEOLOGIE

Of all the

KINGS

OF

SCOTLAND.

THEIR

LIVES,

The Years of their Coronation, the Time of their Reign, the Year of their Death, and Manner thereof, with the Place of their Burial.

Printed in the Year M DCC XXI.

THE

GENEOLOGIE

Of all the

KINGS

OF

SCOTLAND.

Declaring what Year of the World, and of Chriſt, they began to Reign, how long they Reigned, and what Qualities they were of.

FERGUS the firſt King of *Scotland*, the ſon of *Ferquhard*, a Prince of *Ireland*, began to reign in the year of the world, 3641. Before the coming of our Saviour Jeſus Chriſt, 330 years: In the firſt year of the 112*th* Olympiad, and in the 421*ſt* year of the build-

ing

ing of *Rome* : About the beginning of the 3*d* monarchy of the *Grecians*, when *Alexander* the great overthrew *Darius Codomannus* the laſt Monarch of *Perſia*. He was a valiant prince, and died by ſhipwrack, upon the ſea-coaſt of *Ireland*, near unto *Craigfergus* in the 25*th* year of his reign.

2. *Ferthariſ*, brother to *Fergus*, began to reign in the year of the world, 3666. In the year before coming of Chriſt, 305. He was a good juſticiar. In his time there was a law made that if the ſones of the King departed, were ſo young, that they could not rule, that then in that caſe, the neareſt in blood ſhould reign, being in age ſufficient for Government ; and then after his death, the King's children ſhould ſucceed : Which law contiuued unto *Kenneth* the third his days, 1025 years almoſt. He was ſlain by the means of *Ferlegus*, *Fergus*, his brother's ſon, in the 15*th* year of his reign.

3. *Mainus*, King *Fergus* ſon, ſucceeded to his fathers brother, in the year of the world, 3680 And in the year before the coming of Chriſt, 290. He was a wiſe and good King, and married the King of *Picts* daughter, that did bear him two ſons. He died peaceably in the 29*th* year of his reign.

4. *Dornadilla* ſucceeded to his father *Mainus*, in the year of the world, 3709. In the year before the coming of Chriſt, 262. A good King, He made the firſt laws concerning

cerning hunting, He had two ſons, and died peaceably in the 28*th* year of his reign.

5. *Nothatus* ſucceeded to his brother *Dornadilla* in the year of the world, 3738. And the year before the coming of Chriſt, 233. He was a greedy and a cruel tyrant. He was ſlain by *Dovalus*, one of his nobles, in the 20*th* year of his reign.

6. *Reutherus*, *Dornadilla* his ſon, began to reign in the year of the world, 3758. In the year before the coming of Chriſt, 213. He was a good King, and died peaceably in 26*th* year of his reign.

7. *Reutha* ſucceeded to his brother *Reutherus*, in the year of the world, 3784. In the year before the coming of Chriſt, 187. A good King. He of his own accord left the kingdom, and lived a private life, when he had ruled 14 years.

8 *Thereus*, *Reutherus* ſon, began to reign in the year of the world, 3798. In the year before Chriſt, 173. He was an unwiſe and cruel tyrant. He was expelled and baniſhed the realm, in the 12*th* year of his reign, by his nobles: And *Conanus*, a wiſe and grave man, was made governor of the land. He died in exile in the city of *York*.

9. *Joſina* ſucceeded his brother *Thereus*, in the year of the world, 3810. In the year before Chriſt, 161. He was a quiet and good Prince, a good medicinar and herbiſter, or skilful in phyſick and the nature of herbs.

He died in peace, in the 24*th* year of his reign.

10. *Finnanus*, *Joſina* his ſon, began to reign in the year of the world, 3834. In the year before Chriſt, 137. A good King. He was much given to the ſuperſtitious religion of the *Druydes*. He died in peace, in the 30*th* year of his reign.

11. *Durſtus*, *Finnanus* ſon, ſucceeded to his father in the year of the world, 3864. In the year before Chriſt, 107. A cruel and trayterous tyrant, ſlain by his nobles in battle, in the 9*th* year of his reign.

12. *Evenus* the firſt, ſucceeded to his brother *Durſtus*, in the year of the world, 3873. In the year before the coming of Chriſt, 98. A wiſe, juſt and vertuous Prince. He died peaceably in the 19*th* year of his reign.

13. *Gillus*, *Evenus* baſtard ſon, ſucceeded to his father, in the year of the world, 3892. In the year before Chriſt, 79. A crafty tyrant, ſlain in battel by *Cadallus*, in the 2*d* year of his reign.

14. *Evenus* the ſecond, *Donallus* ſon, King *Finnanus* brother, began to reign in the year of the world, 3894. In the year before the coming of Chriſt, 77. A good and civil King. He died in peace, in the 17*th* year of his reign.

15. *Ederus*, ſon to *Dochamus*, that was ſon to *Durſtus* the eleventh King, began to

to reign in the year of the world, 3911. In the year before the coming of Chriſt, 60. A wiſe, valiant and good Prince. He died in the 48*th* year of his reign.

16. *Evenus* the third, ſucceeded to his father *Ederus*, in the year of the world, 3959. In the year before the coming of Chriſt, 12. A luxurious and covetus wicked King. He was taken by his nobles, and impriſoned, and died in priſon in the 7*th* year of his reign.

17. *Metellanus*, *Ederus* brother's ſon, began to reign in the year of the world, 3966. Four years before Chriſt's Incarnation. A very modeſt and good King. He died in the 39*th* year of his reign. In his time there was peace at home and abroad, and our Saviour Jeſus Chriſt was born, and ſuffered death in his reign.

18. *Caractacus*, the ſon of *Cadallanus* and of *Eropeia*, which was ſiſter to *Metellanus*, began to reign in the year of the world, 4005. In the year after the birth of Chriſt, 35. He was a wiſe and valiant King, and reigned 20 years.

19. *Corbredus* the firſt, ſucceeded to his brother *Caractacus*, in the year of the world, 4025. In the year of Chriſt, 55. A wiſe King, and a good juſticiar, or executor of juſtice. He died in peace in the 18*th* year of his reign.

20. *Dardannus*, nephew to *Metellanus* began to reign, in the year of the world, 4042. In the year of Chriſt, 72. A cruel tyrant. He was taken in battel, and beheaded by his own ſubjects, in the 4*th* year of his reign.

21. *Corbedus* the ſecond, ſurnamed *Galdus* ſon to the former *Corbredus*, began to reign in the year of the world, 4046. In the year of Chriſt, 76. A valiant and worthy King; for he had many wars with the *Romans*, and was oft victorious over them. He died in peace, in the 35*th* year of his reign.

22. *Lugthacus*, ſucceeded to his father *Corbredus* the ſecond, in the year of the world, 4080. In the year of Chriſt, 110. A lecherous bloody tyrant. He was ſlain by his nobles in the 3*d* year of his reign.

23. *Mogallus*, ſon to the ſiſter of *Corbredus* the ſecond. He began to reign in the year of the world, 4083. In the year of Chriſt, 113. A good King, and victorious in the beginning of his reign? But in the end of his life, became inclined to tyranny, lechery and covetouſneſs, and was ſlain by his nobles in the 36*th* year of his reign.

24. *Conarus* ſucceeded to his father *Mogallus*, in the year of the world, 4119. In the year of Chriſt, 149. A lecherous tyrant. He was impriſoned by his nobles, and died in priſon in the 14*th* year of his reign, and *Argadus* a noble man was made governour.

25. *Etho-*

25. *Ethodius* the firſt, ſon to the ſiſter of *Mogallus*, began to reign in the year of the world, 4133. In the year of Chriſt, 163. He was a good Prince. He was ſlain by an *Iriſh* harper, whom he admitted to lie in his chamber, in the 33*d* year of his reign.

26. *Satraell* ſucceeded to his brother *Ethodius* the firſt, in the year of the world, 4165. In the year of Chriſt, 195. A cruel tyrant. He was ſlain by his own courtiers in the 4*th* year of his reign.

27. *Donald* the firſt, the firſt chriſtian King of *Scotland*, ſucceeded to his brother *Satraell*, in the year of the world, 4169. In the year of Chriſt, 199. A good and religious King. He was the firſt of the Kings of *Scotland* that coin'd money of gold and ſilver. He died in the 18*th* year of his reign.

28. *Ethodius* the ſecond, ſon to *Ethodius* the firſt, began to reign in the year of the world, 4186, In the year of Chriſt, 216. An unwiſe and baſe-minded King, governed by his nobles. He was ſlain by his own guard in the 16*th* year of his reign.

29. *Athirco* ſucceeded to his father *Ethodius* the ſecond, in the year of the world, 4201. In the year of Chriſt, 231. A valiant Prince in the beginning, but he degenerated and became vicious, and being hardly purſued by his nobles for his wicked life, ſlew himſelf in the 12*th* year of his reign.

30. *Nathalocus*, as ſome write, ſon to the brother of *Athirco*, began to reign in the year of the world, 4212. In the year of Chriſt, 242. A cruel tyrant, ſlain by his nobles, and caſt away into a privy, in the 11*th* year of his reign.

31. *Findocus*, ſon of *Athirco*, began to reign in the year of the world, 4223. In the year of Chriſt, 253. A good King and valiant, ſlain by fained hunters, at the inſtigation of *Donald*, Lord of the Iles, his brother, in the 11*th* year of his reign.

32. *Donald* the ſecond, ſucceeded to his brother *Findocus*, in the year of the world, 4234. In the year of Chriſt, 264. A good Prince. He was wounded in battle, and being overcome, died for grief and ſorrow in the 1*ſt* year of his reign.

33. *Donald* the third, Lord of the Iles, brother to *Findocus*, began to reign in the year of the world, 4235. In the year of Chriſt, 265. A cruel tyrant, ſlain by *Crathilinthus* his ſucceſſor, in the 12*th* year of his reign.

34. *Crathilinthus*, *Findocus* ſon, began to reign in the year of the world, 4247. In the year of Chriſt, 277. A valiant and a godly King. He purged the land from the idolatrous ſuperſtition of the *Druides*, and planted the ſincere chriſtian religion. He died in peace in the 24*th* year of his reign. In his time was *Conſtantine* the great Em-

Emperour of chriſtendom born in *England.*

35. *Fincormachus*, ſon to the brother of the father of *Crathilinthus*, began his reign in the year of the world, 4271. In the year of Chriſt, 301. A godly King and valiant. He was a worthy furtherer of the kingdom of Chriſt in *Scotland.* He died in peace in the 47*th* year of his reign.

36. *Romachus*, brother's ſon to *Crathilinthus*, began to reign in the year of the world. 4318. In the year of Chriſt, 348. A cruel tyrant, ſlain by his nobles, and his head ſtriken off, in the 3*d* year of his reign.

37. *Anguſianus*, *Crathilinthus* brother's ſon ſucceeded to *Romachus*, in the year of the world, 4321. In the year of Chriſt, 351. A good King, ſlain in battel by the *Picts*, in the 3*d* year of his reign.

38. *Fethelmachus*, another brother's ſon of *Crathilinthas*, he began to reign in the year of the world, 4324. In the year of Chriſt, 354. He was a valiant King; for he overcame the *Picts*, and ſlew their King. He was betray'd to the *Picts* by an harper, and ſlain by them in his own chamber, in the 3*d* year of his reign.

39. *Eugenius* the firſt, *Fincormachus* ſon, began to reign in the year of the world, 4327. In the year of Chriſt, 357. A valiant, juſt and good King. He was ſlain

in battel by the *Picts* and *Romans* in the 3*d* year of his reign, and the whole *Scotiſh* nation was utterly expelled the Ile, by the *Picts* and *Romans*, and remained in exile about the ſpace of 44 years.

40. *Fergus* the ſecond, *Erthus* ſon's ſon to *Ethodius*, *Eugenius* the firſt his brother, returning into *Scotland*, with the help of of the *Danes* and *Gothes*, and his own countrymen, who were gathered to him out of all countries where they were diſperſed, conquered his kingdom of *Scotland* again out of the *Romans* and *Picts* hands. He began his reign in the year of the world, 4374. In the year of Chriſt, 404. He was a wiſe, valiant and good King. He was ſlain by the *Romans* in the 16*th* year of his reign.

41. *Eugenius* the ſecond, ſon of *Fergus* the ſecond, ſucceeded to his father in the year of the world, 4390. In the year of Chriſt, 420. He was a valiant and a good Prince. He ſubdued the *Britons*, and died in the 32*d* year of his reign.

42. *Dongardus* ſucceeded to his brother *Eugenius* the ſecond, in the year of the world, 4421. In the year of Chriſt, 457. A godly, wiſe and valiant Prince. He died in the 5*th* year of his reign.

43. *Conſtantine* the firſt, ſucceeded to his brother *Dongardus*, in the year of the world, 4427. In the year of Chriſt, 457. A wick-

ed

ed Prince. He was ſlain by a noble man in the Iles, whoſe daughter he had defiled, in the 22*d* year of his reign.

44. *Congallus* the firſt, ſon of *Dongardus*, began to reign in the year of the world, 4449. In the year of Chriſt, 479. A good and quiet Prince. He died in peace in the 22*d* year of his reign.

45. *Goranus*, or *Conranus* ſucceeded to his brother *Congallus* the firſt, in the year of the world, 4471. In the year of Chriſt, 501. A good and wiſe Prince. He died in the 34*th* year of his reign.

46. *Eugenius* the third *Congallus* ſon, ſucceeded to his father and uncle, in the year of the world, 4505. In the year of Chriſt, 535. A wiſe King and a good juſticiar. He died in the 23*d* year of his reign.

47. *Congallus* the ſecond, or *Convallus*, ſucceeded to his brother *Eugenius* the third, in the year of the world, 4528. In the year of Chriſt, 558. A very good Prince. He died in peace in the 11th year of his reign.

48. *Kinnatillas* ſucceeded to his brother *Congallus* the ſecond, in the year of the world, 4539. In the year of Chriſt, 569. A good Prince. He died in the 1*ſt* year of his reign.

49. *Aidanus*, ſon of *Goranus*, the forty fifth King, began to reign in the year of the world, 4540. In the year of Chriſt, 570.

A godly and good Prince. He died in the 35*th* year of his reign.

50. *Kenethus* the firſt, ſurnamed *Keir*, *Congallus* the ſecond his ſon, began to reign in the year of the world, 4575. In the year of Chriſt, 605. A peaceable Prince. He died in the 1*ſt* year of his reign.

51. *Eugenius* the fourth, ſon of *Aidanus*, began to reign in the year of the world, 4576. In the year of Chriſt, 606. A valiant and a good King. He died in the 16*th* year of his reign.

52. *Ferquhard*, or *Ferchard* the firſt, ſucceeded to his father *Eugenius* the fourth, in the year of the world, 4591. In the year of Chriſt, 621. A bloody tyrant. He ſlew himſelf in the priſon, whereinto he was put by the nobles of his realm, in the 12*th* year of his reign.

53. *Donald* the fourth, ſucceeded to his brother *Ferquhard* the firſt, in the year of the world, 4602. In the year of Chriſt, 632. He was a good and religious King. He was drowned in the water of *Tay*, while he was fiſhing, in the 14*th* year of his reign.

54. *Ferquhard*, or *Ferchard* the ſecond, ſucceeded to his brother *Donald* the fourth, in the year of the world, 4616. In the year of Chriſt, 646. A very wicked man. He was bitten by a Woolf in hunting; of of the which enſued a Fever, whereof he died in the 18*th* year of his reign.

55. *Mal-*

55. *Malduin*, ſon to *Donald* the fourth, began to reign in the year of the world, 4634. In the year of Chriſt, 664. A good Prince, ſtrangled by his wife, who ſuſpected him of adultery in the 20*th* year of his reign. She was therefore burned.

56. *Eugenius* the fifth, *Malduine* his brother's ſon, began to reign in the year of the world, 4654. In the year of Chriſt, 684. A falſe Prince, ſlain by the *Picts* in battel, in the 4*th* year of his reign.

57. *Eugenius* the ſixth, ſon to *Ferquhard* the ſecond, began to reign in the year of the world, 4658. In the year of Chriſt, 688. A good Prince. He died in peace in the 10*th* year of his reign.

58. *Ambirkelethus*, ſon of *Findanus*, ſon of *Eugenius* the fifth, began to reign in the year of the world, 4667. In the year of Chriſt, 697. He was a vicious Prince, and was ſlain by the ſhot of an arrow, in the 2*d* year of his reign. The ſhooter thereof is unknown or ſet out in hiſtory.

59. *Eugenius* the ſeventh ſucceeded to his brother *Ambirkelethus*, in the year of the world, 4669. In the year of Chriſt, 699. He died in peace in the 17*th* year of his reign. A good Prince.

60. *Mordacus*, *Ambirkelethus* ſon, began to reign in the year of the world, 4685. In the year of Chriſt, 715. A good Prince. He died in the 16*th* year of his reign.

61. *Et-*

61. *Etfinus*, *Eugenius* the ſeventh his ſon, began to reign in the year of the world, 4700. In the year of Chriſt, 730. He died in peace in the 31*ſt* year of his reign.

62. *Eugenius* the eight, *Mordacus* ſon, began to reign in the year of the world, 4731. In the year of Chriſt, 761. A good Prince in the beginning of his reign; and then after, degenerating from of his good life, he was ſlain by his nobles, in the 3*d* year of his reign.

63. *Fergus* the third, *Etfinus* ſon, began to reign in the year of the world, 4734. In the year of Chriſt, 764. A lecherous Prince, poiſoned by his wife, in the 3*d* year of his reign.

Solvathius, *Eugenius* the eight his ſon, began to reign in the year of the world, 4737. In the year of Chriſt, 767. A good Prince. He died in peace in the 20*th* year of his reign.

65. *Achaius*, *Etfinus* ſon, began to reign in the year of the world, 4757. In the year of Chriſt, 787. A peaceable, good and godly Prince. He made a league with *Charles* the Great, Emperour and King of *France*, which remaineth inviolably kept to this day. He died in the 32*d* year of his reign.

66. *Congallus*, or *Convallus*, *Achaius* father's brother's ſon, began to reign in the year of the world, 4789. In the year of Chriſt

Chriſt, 819. A good Prince. He died in the *5th* year of his reign.

67. *Dongallus*, *Solvathius* ſon, ſucceeded in the year of the world, 4794. In the year of Chriſt, 824. A valiant and good Prince. He was drowned, coming over the river *Spey*, to war againſt the *Picts*, in the *7th* year of his reign.

68. *Alpinus*, *Achaius* ſon, began to reign in the year of the world, 4801. In the year of Chriſt, 831. A good Prince. He was taken in battel, and beheaded by the *Picts*, in the *3d* year of his reign.

69. *Kenneth* the ſecond, ſurnamed the *Great*, ſucceeded to his father *Alpinus*, in the year of the world, 4804. In the year of Chriſt, 834. A good and valiant Prince. He utterly overthrew the *Picts* in divers battels, expelled them out of the land, and joined the kingdom of the *Picts* to the crown of *Scotland*. He died in peace, in the *20th* year of his reign.

70. *Donald* the fifth, ſucceeded to his brother *Kenneth* the ſecond, in the year of the world, 4824. In the year of Chriſt, 854. A wicked Prince. He ſlew himſelf in the *5th* year of his reign.

71. *Conſtantine* the ſecond, ſon of *Kenneth*, the ſecond, began to reign in the year of the world, 4829. In the year of Chriſt, 859. A valiant Prince. He was ſlain by the

the *Danes* in a battle, ſtricken at *Carrail* n *Fife*, in the 16*th* year of his reign.

72. *Ethus*, ſurnamed *Alipes*, the ſon of *Conſtantine* the ſecond, ſucceeded to his father in the year of the world, 4844. In the year of Chriſt 874. A vitious Prince. He was impriſon'd by his nobles, where he dy'd in the 2*d* year of his reign.

73. *Gregory*, ſurnamed the *Great*, ſon of *Dongallus* the ſecond, began to reign in the year of the world, 4846. In the year of Chriſt, 876. A Prince valiant, victorious and renowned thro' the world in his time. He dy'd in peace in the 18*th* year of his reign.

74. *Donald* the ſixth, ſon of *Conſtantine* the ſecond, began to reign in the year of the world, 4863. In the year of Chriſt 893. A valiant Prince. He dy'd in peace, being loved of his ſubjects, in the 11*th* year of his reign.

75. *Conſtantine* the third, ſon of *Ethus*, ſurnamed *Alipes*, began to reign in the year of the world, 4874. In the year of Chriſt, 904. He was a valiant King, yet he proſper'd not in his wars againſt *England*, and therefore being weary of his life, he became a Monk, and dy'd after he had reign'd 40 years as King.

76. *Malcolme* the firſt, ſon of *Donald* the ſixth, began to reign in the Year of the world, 4913. In the year of Chriſt, 943.

A valiant Prince, and a good juſticiar, or Executor of juſtice. He was ſlain in *Murry*, by a conſpiracy of his own ſubjects, in the 9*th* year of his reign.

77. *Indulfus*, ſon of *Conſtantine* the third, began to reign in the year of the world, 4922. In the year of Chriſt, 952. A valiant and good Prince. He had many battels with the *Danes*, whom he overcame; but in the end he was ſlain by them in a ſtratagem of war, in the 9*th* year of his reign.

78. *Duffus*, the ſon of *Malcolm* the firſt, began to reign in the year of the world, 4931. In the year of Chriſt, 961. A good Prince, and a ſevere juſticiar, or executor of juſtice. He was ſlain by one *Donald* at *Forres* in *Murray*, and was buried ſecretly under the bridge of a river beſide *Kinloſs*; but the matter was revealed, and the murderer and his wife that conſented thereto, ſeverely puniſhed. He reined 5 years.

79. *Culenus*, *Indulfus* ſon, began to reign in the year of the world, 4936. In the year of Chriſt, 966. A vicious and effeminate Prince. He was ſlain at *Methuen*, by *Radardus*, a noble man (whoſe daughter he had defiled) in the 4*th* year of his reign.

80. *Kenneth* the third, *Duffus* brother, began to reign in the year of the world, 4940. In the year of Chriſt, 970. A valiant and a wiſe Prince; but in the end became

came cruel, and ſlew *Malcolme* his brother's ſon; and in God's judgment, who ſuffereth not innocent blood to be unpuniſhed, he was ſlain, as ſome ſay, by a ſhaft or arrow, ſhot by a device or ſleight, out of an image fixed in a wall, at *Fetticarne*, by the means of a noble woman there, called *Fenella*, in the 24*th* year of his reign.

81. *Conſtantine* the fourth, ſurnamed *Calvus*, *Culenus* ſon, began to reign in the year of the world, 4964. In the year of Chriſt, 994. An uſurper of the crown. He was ſlain in battel, at the town of *Crawmond* in *Louthian*, in the 2*d* year of his reign.

82. *Grimus*, *Duffus* ſon began to reign in the year of the world, 4966. In the year of Chriſt, 996 A vicious Prince. He was ſlain in battel by *Malcolme* the ſecond, his ſucceſſor, in the 8*th* year of his reign.

83. *Malcolme* the ſecond, ſon of *Kenneth* the third, began to reign in the year of the world, 4974. In the year of Chriſt, 1004. A valiant and a wiſe Prince, who made many good laws, of the which a few are yet extant. He was ſlain by a conſpiracy of his nobles at the caſtle of *Glammes*, who after the ſlaughter, thinking to eſcape, were drowned in the water of *Forfar*: For it being winter, and the water frozen and covered with ſnow, the Ice brake, and they fell in, in the righteous judgment of God. He reigned 30 years. Some write, that

that after a great victory in battel, he did give much of his lands to his nobles, and they agreed that he ſhould therefore have the wardſhip and cuſtody of their heirs, as long as they were under the age of 21 years, and the profits of all their lands, over and above their charges for education, and the diſpoſing of them in marriage, and the money that ſhould be given for their marriage: And that he firſt did give unto his nobles ſundry ſeveral titles of honour. Which wardſhips, marriages, times of full age, and reliefes, and manner of liveries of their lands out of the Kings hands, be in *Scotland*, very much agreeing to the laws of *England*, as many other parts of the laws do.

84. *Duncane* the firſt, ſon of *Beatrix*, daughter of *Malcolme* the ſecond, began to reign in the year of the world, 5004. In the year of Chriſt, 1034. A good and a modeſt Prince. He was ſlain by *Macbeth* traiterouſly, in the *6th* year of his reign.

85. *Macbeth*, ſon of *Donada*, daughter of *Malcolme* the ſecond, began to reign in the year of the world, 5010. In the year of Chriſt, 1040. In the beginning of his reign he behaved himſelf as a good and juſt Prince, but after, he degenerated into a cruel tyrant. He was ſlain in battel by his ſucceſſour *Malcolme* the third, in the *17th* year of his reign.

86. *Malcolme* the third, ſurnamed *Cammoir*, ſon of *Duncane* the firſt, began to

reign in the year of the World, 5027. in the year of Chriſt, 1357. a very religious and valiant Prince. He married *Margaret*, daughter to *Edward* ſurnamed the *Outlaw*, ſon to *Edward* ſurnamed *Ironſide*, King of *England*, a very good and religious woman, according to thoſe times, who bare unto him ſix ſons and two daughters. The ſons were *Edward* the Prince, *Edmond*, *Etheldred*, *Edgar*, *Alexander*, and *David*: The daughters were *Mathildis* or *Maud*, ſurnamed *Bona*, wife to *Henry* the firſt, ſurnamed *Beauclearke*, King of *England*, the ſon of *William* the Conqueror of *England*; of her virtues there is extant this old epigram:

Proſpera non lætam fecêre, nec aſpera triſtem;
Proſpera terror ei, aſpera riſus erant:
Non decor effecit fragilem, non ſceptra ſuperbam;
Sola potens humilis, ſola pudica decens.

That is,

Proſperity rejoiced her not, to her, grief was no pain;
Proſperity affraied her alas, affliction was her gain:
Her beauty was no cauſe of fall, in royal ſtate not proud;
Humble alone in dignity, in beauty only good.

She founded the Church of *Carleill*. The other daughter was *Mary*, wife to *Euſtathius* Earl of *Boloigne*. King *Malcolme* builded the Churches of *Durehame* and *Dumfermeline*. He was ſlain with his ſon the Prince *Edward*, in the 36th year of his reign, at the beſieging of *Anwicke*, by *Robert Mowbray*, ſurnamed *Pearce-eie*, and was buried

at

at *Tinmouth*; but after, he was removed to *Dumfermeline*.

87. *Donal* the ſeventh, ſurnamed *Bane*, uſurped the crown after the death of his brother, in the year of the World, 5063. in the year of Chriſt, 1093. and was expelled in the firſt year of his reign, by *Duncane* the ſecond, the baſtard ſon of King *Malcolme* the third.

88. *Duncane* the ſecond uſurped the crown in the year of the World, 5064. in the year of Chriſt, 1094. a raſh and fooliſh Prince. He was ſlain by *Makpendir*, the Thane or Earl of the *Meirnes*, when he had reigned little over a year, by the procurement of *Donald* the ſeventh.

Donald the ſeventh, made King again in the year of the World, 5065. in the year of Chriſt, 1095. and reigned three years. He gave the Weſt and North Iſles to the King of *Norway*, for to aſſiſt him to attain to the crown of *Scotland*. He was taken captive by *Edgar*, his eyes put out, and died miſerably in priſon.

89. *Edgar*, the ſon of *Malcolme* the third, began to reign in the year of the World, 5068. in the year of Chriſt, 1098. He builded the Priory of *Coldingham*. He was a good Prince. He died at *Dundee* without ſucceſſion, and was buried at *Dumfermeline*, in the 9th year of his reign.

90. *Alexander* the firſt, ſurnamed *Fearce*,

ſucceeded to his brother, in the year of the World, 5077. in the year of Chriſt, 1107. a very good and valiant Prince. He builded the Abbacies of *Scone* and of Saint *Colmes-Inch*. He married *Sybilla*, daughter to *William* Duke of *Normandy*, &c. He died in peace, without ſucceſſion, at *Striviling*, in the 17th year of his reign, and was buried at *Dumfermeline*.

91. *David* the firſt, commonly called S. *David*, the youngeſt ſon of King *Malcolme* the third, ſucceeded to his brother in the year of the World, 5094. in the year of Chriſt, 1124. a good, valiant and religious Prince, according to thoſe times. He builded many Abbacies, as, *Halyrude-houſe*, *Kelſo*, *Jedburgh*, *Dun-dranan*, *Cambuſ-kenneth*, *Kin-loſſe*, *Mel-roſſe*, *New-bottle*, *Dumfermeline*, *Holme* in *Cumberland*, and two religious places at *Newcaſtle* in *Northumberland*. He erected four Biſhopricks, *Roſſe*, *Brechin*, *Dumblane* and *Dunkeld*. He married *Maude*, daughter of *Woldiofus* Earl of *Northumberland* and *Huntingdon*, and of *Juditha*, daughters daughter to *William* the Conqueror, King of *England*, by whom he had one ſon named *Henry*, a worthy and good youth, who married *Adama*, daughter to *William* Earl *Warren*, who bare unto him three ſons, *Malcolme* the Maiden, *William* the Lion, and *David* Earl of *Huntingdon*; and two daughters *Adama* wife to *Florentius* Earl of *Holland*,

and

and *Margaret* wife to *Conanus* Duke of *Britain:* He died before his father. S. *David* died in peace at *Carleill*, in the 29th year of his reign, and was buried at *Dumfermeline*.

92. *Malcolme* the fourth, ſurnamed the Maiden, (becauſe he would never marry) ſucceeded to his grandfather *David* the firſt, in the year of the World, 5123. in the year of Chriſt, 1153. a good and meek Prince. He builded the Abbey of *Cowper* in *Angus*, and died at *Jedburgh*, and was buried at *Dumfermeline* in the 12th year of his reign.

93. *William*, ſurnamed the Lion, ſucceeded to his brother *Malcolme* the fourth, in the year of the World, 5135. in the year of Chriſt, 1165. a good and a valiant King. He married *Emergarda*, daughter to the Earl of *Beaumont*. He builded the Abbacy of *Aberbrothok*, and ſhe builded the Abbacy of *Balmerinoch*. He died at *Striviling* in the 49th year of his reign, and was buried at *Aberbrothok*.

94. *Alexander* the ſecond ſucceeded to his father *William*, in the year of the World, 5184. in the year of Chriſt, 1214. a good Prince. He married *Jeane*, daughter to *John* King of *England*, by whom he had no ſucceſſion. After her death he married *Mary*, daughter to *Ingelrame*, Earl of *Coucey* in *France*, by whom he had *Alexander* the third. He died at *Kernery* in the Weſt Iſles, and was buried at *Mel-roſſe*, in the 35th year of his reign.

95. *Alexander* the third ſucceeded to his father, in the year of the World, 5219. in the year of Chriſt, 1249. a good Prince: He married firſt *Margaret*, daughter to *Henry* the third, King of *England*, by whom he had *Alexander* the Prince, who married the Earl of *Flanders* daughter, *David*, and *Margaret*, who married *Hangonanus*, or, as ſome call him, *Ericus*, ſon to *Magnus* the 4th King of *Norway*, who bare to him a daughter named *Margaret*, commonly called, *The Maiden of Norway*, in whom King *William*'s whole poſterity failed, and the crown of *Scotland* returned to the poſterity of *David* Earl of *Huntingdon*, King *Malcolme* the 4th, and King *William* his brother. After his ſons death (for they died before himſelf without ſucceſſion) in hope of poſterity, he married *Ioleta*, daughter to the Earl of *Dreux* in *France*, by whom he had no ſucceſſion. He builded the Croſs Church of *Peibles*. He died of a fall from his horſe, upon the ſands, betwixt Eaſter and Weſter *King-horne*, in the 37th year of his reign, and was buried at *Dumfermeline*.

AFTER the death of *Alexander* the third, which was in the year of the World, 5255. in the year of Chriſt, 1285. there were ſix Regents appointed to rule *Scotland*: For the South-ſide of *Forth* were appointed *Robert* the Archbiſhop of *Glaſgow*, *John Cummin*, and *John* the Great Steward of *Scotland*: For the North-ſide of *Forth*, *Mak-duffe* Earl of *Fife*,

Fife, *John Cummin* Earl of *Buchan*, and *William Fraſer* Archbiſhop of St. *Andrews*, who ruled the Land about the ſpace of ſeven years, until the controverſy was decided betwixt *John Ballioll* and *Robert Bruyſe*, grandfather to *Robert Bruyſe* the King of *Scotland*, who did come of the two eldeſt daughters of *David* Earl of *Huntingdon*; for *Henry Haſtings*, who married the youngeſt daughter, put not in his ſuit or claim with the reſt, and therefore there is little ſpoken of him.

96. *John Ballioll* was preferred before *Robert Bruyſe* to be King of *Scotland*, by *Edward* the 1ſt, ſurnamed *Longſhanks*, King of *England*, who was choſen to be the Judge of the controverſy; which preferment was upon a condition, that *John Ballioll* ſhould acknowledge King *Edward* the 1ſt as ſuperior; which condition, like an unworthy man, he received. He began his reign in the year of the World, 5263. in the year of Chriſt, 1293. He was a vain-glorious man, little reſpecting the weal or commonwealth of his Country. He had not reigned fully four years, when he was expelled by the ſaid *Edward* the 1ſt, King of *England*; and leaving *Scotland*, he departed into the parts of *France*, where he died long after in exile: And ſo *Scotland* was without a King and Government the ſpace of nine years; during which ſpace, the ſaid *Edward* the 1ſt, ſurnamed *Longſhanks*, cruelly oppreſſed the land, deſtroyed the whole ancient

monuments of the Kingdom, and ſhed much innocent blood.

97. *Robert Bruyſe* began to reign in the year of the World, 5276. in the year of Chriſt, 1306. a valiant, good and wiſe King. In the beginning of his reign, he was ſubject to great miſery and affliction, being oppreſſed by *England*; but at length, having overcome and vanquiſhed *Edward* the 2d, King of *England*, commonly called *Edward* of *Carnarvan*, at the field of *Bannock-burne*, he delivered *Scotland* from the wars of *England*, and ſet it at full liberty, all *Engliſhmen* by force being expelled out of the Land. He married firſt *Iſabel*, daughter to the Earl of *Mar*, who bare unto him *Marjory*, the wife of *Walter*, the Great Steward of *Scotland*; from whom, and the offspring of the *Stewards*, the King now ruling is deſcended. After her death, he married *Iſabel*, daughter to *Haymerus de Burc*, Earl of *Hultonia* or *Hulſter* in *Ireland*, who bare unto him *David* the 2d, *Margaret* the Counteſs of *Sutherland*, and *Maude* that died young. He died at *Cardros*, and was buried at *Dumfermeline*, in the 24th year of his reign.

98. *David* the ſecond ſucceeded to his father *Robert Bruyſe*, in the year of the World, 5300. in the year of Chriſt, 1330, a good Prince, ſubject to much affliction in his youth, being firſt after the death of *Thomas Ranulph* his Regent, forced to fly into *France* for his

own

own ſafeguard, and then returning home, was taken at the battel of *Durham*, and was holden 12 years almoſt captive in *England*; but after, he was reſtored to his liberty. He married firſt *Jeane*, daughter to *Edward* the 2d, King of *England*; and after her death, he married *Magaret Logie*, daughter to Sir *John Logie*, Knt. and died without ſucceſſion at *Edinburgh*, in the 40th year of his reign, and was buried at *Halyrude-houſe*.

99. *Edward Ballioll*, ſon to *John Ballioll*, uſurped the Crown of *Scotland*, being aſſiſted by *Edward* the 3d, King of *England*, in the year of the World, 5302. in the year of Chriſt, 1332. But he was expelled at length by *David* the 2d his Regent, and *David* the 2d eſtabliſhed King.

100. *Robert* the 2d, ſurnamed *Bleare-eye*, the firſt of the *Stewards*, ſon to *Walter Steward*, and *Margery Bruyſe*, daughter to King *Robert Bruyſe*, ſucceeded to his mother's brother, in the year of the World, 5341. in the year of Chriſt, 1371. a good and a peaceable Prince. He married firſt *Euſeme*, daughter to *Hugh* Earl of *Roſſe*, who bare unto him *David* Earl of *Strathern*, *Walter* Earl of *Athol*, and *Alexander* Earl of *Buchan*, Lord *Badzenoth*. After her death, for the affection he bare to his children begotten before his firſt marriage, he married *Elizabeth Mure*, daughter to Sir *Adam Mure*, Knt. who had born unto him *John*, after called *Robert* the

3d,

3d, Earl of *Carrict*, *Robert* Earl of *Fife* and *Menteith*, and *Eufeme*, wife to *James* Earl of *Dowglas*. He died at *Dun-donald* the 19th year of his reign, and was buried at *Scone*.

191. *Robert* the 3d, ſurnamed *John Farnezeir*, ſucceeded to his father, in the year of the World, 5360. in the year of Chriſt, 1390. a quiet and a peaceable Prince. He married *Anabel Drummond*, daughter to the Laird of *Stobhall*, who bare unto him *David* the Prince, D. of *Rotheſay*, that died in priſon of very extream famine at *Falkland*, and *James* the 1ſt, taken captive in his voyage to *France*, and detained a captive almoſt the ſpace of 18 years in *England*. He died of grief and ſorrow at *Rotheſay*, when he heard of the death of the one ſon, and captivity of the other, and was buried at *Paiſly*, in the 16th year of his reign.

Robert Earl of *Fife* and *Menteith* governed *Scotland*, in the year of the World, 5376. in the year of Chriſt, 1406. He died in the 14th year of his Government, *James* the 1ſt being a captive in *England*.

Murdo Steward ſucceed to his father *Robert* Earl of *Fife*, in the Government of *Scotland*, in the year of the World, 5390. in the year of Chriſt, 1420. and ruled 4 years, *James* the 1ſt being yet a captive in *England*. Both the father and the ſon *Walter* were executed after, for oppreſſion of the ſubjects, by King *James* the 1ſt.

102. *James*

102. *James* the firſt began to reign in the year of the World, 5394. in the year of Chriſt, 1424. He was a good, learned, vertuous and juſt Prince. He married *Jeane*, daughter to *John* Duke of *Somerſet* and Marquis *Dorſet*, ſon to *John* of *Gaunt*, ſon to *Edward* the 3d, the victorious King of *England*; who bare unto him *James* the 2d, and ſix daughters, *Margaret*, wife to *Lewis* the 11th, the *Dauphine*, after King of *France*, *Elizabeth*, Dutcheſs of *Britain*, *Jeane*, Counteſs of *Huntly*, *Eleanor*, Dutcheſs of *Auſtria*, *Mary*, wife to the L. of *Camp-veere*, and *Anabella*. He was ſlain at *Perth* traiterouſly by *Walter* Earl of *Athol*, and *Robert Graham*, and their Confederates, in the 31ſt year of his reign, if we count from the death of his father; and in the 13th year, if we count from his deliverance out of *England*; and was buried at the Charter-houſe of *Perth*, which he builded.

103. *James* the 2d ſucceeded to his father, in the year of the World, 5407. in the year of Chriſt, 1437. a Prince ſubject to great troubles in his youth. He married *Mary*, daughter to *Arnold*, Duke of *Geldre*, daughter to the ſiſter of *Charles* ſurnamed *Audax*, the laſt Duke of *Burgundy*, &c. who bare unto him three ſons, *James* the 3d, *John* Earl of *Mar*, *Alexander* Duke of *Albany*, and *Mary*, wife firſt to *Thomas Boyd* Earl of *Arran*, and after his beheading to *James Hamilton*

milton of *Cadzou*. He was ſlain at the ſiege of *Roxburgh* in the 24th year of his reign.

104. *James* the 3d ſucceeded to his father, in the year of the World, 5430. in the year of Chriſt, 1460. a Prince corrupted by wicked courtiers. He married *Margaret*, daughter to *Chriſtianus* the 1ſt, ſurnamed *Dives*, King of *Denmark*, *Norway* and *Sueden*. He was ſlain at the field of *Bannock-burne*, in the 29th year of his reign, and was buried at *Cambuſ-kenneth*.

105. *James* the 4th ſucceeded to his father, in the year of the World, 5459. in the year of Chriſt, 1489. a noble and couragious Prince. He married *Margaret*, eldeſt daughter to *Henry* Earl of *Richmond*, King of *England*, and of *Elizabeth*, daughter to *Edward* the 4th, King of *England*, in whoſe two perſons the two houſes of *Lancaſter* and *York* were united, and the bloody civil wars of *England* pacified. He was ſlain at *Flowdon* by *England*, in the 25th year of his reign.

106. *James* the 5th ſucceeded to his father, in the year of the World, 5484. in the year of Chriſt, 1514. a juſt Prince and ſevere. He married firſt *Magdalen*, daughter to *Francis* the 1ſt, King of *France*, who died ſhortly thereafter without ſucceſſion. After, he married *Mary* of *Lorayne*, Dutcheſs of *Longevile*, daughter to *Claude*, Duke of *Guiſe*, who bare to him two ſons, that died in his life-time, and one daughter, named *Mary*, mother to King *James* the 6th. He died at *Falkland*,

in

in the 29th year of his reign. He was buried at *Halyrude-houſe*.

107. *Mary* ſucceeded to her father *James* the 5th, Anno Mundi, 5513. Anno Chriſti, 1543. a vertuous princeſs. She married firſt *Francis* 2d. *Dolphin*, after King of *France*: then after his death, returning home into *Scotland*, ſhe married *H. Stewart* Duke of *Albany*, &c. Lord *Darley*, ſon to *Matthew*, Earl of *Lennox* (a comely Prince, *Pronepnoy*'s ſon, the daughters daughter of *Henry* the 7th, King of *England*) to whom ſhe did bear *James* the 6th. She was put to death in *England* the 8th of *February*, after 18 years captivity.

108. *James* the 6th, a good, godly, and learned Prince, ſucceeded to his Mother, in the year of the World, 5537. in the year of Chriſt, 1567. He married *Anna*, daughter to *Frederick* the 2d, King of *Denmark*; and *Sophia*, daughter of *Ulricus* Duke of *Mecklenburgh*, who hath born unto him already *Henry Frederick* the Prince, *Feb.* 19, 1593. and *Elizabeth*, *Aug.* 19, 1596. and *Charles* Duke of *Albany*, *Nov.* 19, 1600. And upon the death of Q. *Elizabeth* he ſucceeded to the Crown of *England*, and was crowned King at *Weſtminſter*, *July* 25, 1604. He had alſo by his wife Q. *Anna* two other daughters born in *England*, Lady *Mary* and Lady *Sophia*, who both died young. Prince *Henry* died *Nov.* 6, 1612. Lady *Elizabeth* was married

ried to *Frederick* the 5th of that name, Count *Palatine* of the *Rhine*, afterwards elected King of *Bohemia*, by whom ſhe had many children. King *James* died at his Palace at *Theobalds* in *England*, *March* 27, 1625. when he had reigned 22 years over *Great Britain* and *Ireland*, and was buried with great Solemnity at *Weſtminſter*.

Mira cano: Sol occubuit, nox nulla ſecuta eſt.

The Form of the OATH of a Duke, Earl, Lord of Parliament, and Knight of SCOTLAND.

The Oath of a Duke.

YE ſhall fortify and defend the true and Chriſtian Religion, and Chriſt's holy Evangel, preſently preached in this Realm; and ſhall be leill and true to our Sovereign Lord, the King's Majeſty; and ſhall defend his highneſs, realm and lieges, from all alieners and ſtrangers, at the uttermoſt of your power: So help you God, and by the oath that ye have elſe made.

The Oath of an Earl.

YE ſhall fortify and defend the true and Chriſtian Religion, and Chriſt's holy Evangel, preſently preached in this Realm; and

and ſhall be leill and true to our Sovereign Lord the King's Majeſty; and ſhall defend his highneſs, realms and lieges, from all alieners and ſtrangers, at the uttermoſt of your power: So help you God, and by the oath that ye have elſe made.

The Oath of a Lord of Parliament.

YE ſhall give due and faithful counſel to our Sovereign Lord, the King's Majeſty's weal, publickly in Parliament, as in all other places needful, and ſecretly according to your knowledge, for the preſervation of his realm, and common weal thereof; and ſhall never hide nor conceal any point of treaſon, or crime of *Leiſmajeſte*, that ſhall appear to be conſpired againſt his ſaid royal perſon, but ſhall incontinent with all poſſible diligence reveal the ſame: So help you God, and by the oath that ye have elſe made.

The Oath of a Knight.

1. I Shall fortify and defend the Chriſtian Religion, and Chriſt's holy Evangel, preſently preached in this realm, to the uttermoſt of my power.

2. I ſhall be loyal and true to my Sovereign Lord, the King's Majeſty, to all orders of Chievalry, and to the noble office of Arms.

3. I ſhall fortify and defend Juſtice at my power, and that without favour or feud.

4. I

4. I ſhall never fly from my Sovereign Lord the King's Majeſty, nor from his Highneſs's Lieutenants, in time of mellay and battel.

5. I ſhall defend my native Realm from all alieners and ſtrangers.

6. I ſhall defend the juſt action and quarrel of all Ladies of Honour, of all true and friendleſs Widows, of Orphelings, and of Maidens of good fame.

7. I ſhall do diligence whereſoever I hear there are any murtherers, traytors, or maſterful reavers, that oppreſs the King's lieges, and peure people, to bring them to the law at my power.

8. I ſhall maintain and uphold the noble eſtate of Chivalry, with horſe, harneſs, and other knightly habiliments; and ſhall help and ſuccour them of the ſame order at my power, if they have need.

9. I ſhall enquire and ſeek to have the knowledge and underſtanding of all the articles and points contained in the book of Chivalry.

All theſe premiſes to obſerve, keep, and fulfil, I oblege me: So help me, God, by mine own hand, ſo help me God, *&c.*

F I N I S.

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